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# **When Abortion Is Banned: The Politics of Reproduction in Ceausescu's Romania, and After**

## **Executive Summary**

**Gail Kligman**

This study about the politics of reproduction in Ceausescu's Romania focuses on the social, human, and demographic costs of restrictive reproductive legislation and policies, especially as they impact on the lives of women and children, and analyzes the lived process of social atomization and dehumanization that is a legacy of Ceausescu's rule in Romania.<sup>1</sup> Analysis of the complex relationship between the official rhetoric about reproduction, the policies that translated this official rhetoric, and citizens' lived experience makes comprehensible the means by which the regime was perpetuated, and by which compliance and complicity were systemically structured. It also illuminates the means by which people resisted. Thus, this report simultaneously presents a case study about the political culture of Romania during the Ceausescu years, as well as a stark case study about the unintended effects of banning abortion in a context of economic hardship, deprivation, inadequate or nonexistent contraceptive education and alternatives, and lack of childcare facilities.

In the first section of this report, I summarize key ideological tenets of the Ceausescu regime that contributed to the shaping and implementation of the pronatalist policies. Although gender equality was ideologically extolled in all of the formerly existing socialist states, progressive legislation regarding women's rights as workers often came into conflict with their obligations as reproducers of the labor force, that is, with their roles as mothers. The nation was to be recreated through a neo-Stalinist social engineering project known as "homogenization" meant to produce social equality. Policies, among which the political demographic ones were

essential, were formulated to be consistent with these ideological goals. Although their intent was meant to be fully encompassing and controlling, ideological programs translated through political rhetoric are insufficient to account for what actually happened. Policies were implemented by individuals who, despite their "Party functions," lived their daily lives as members of extended families, communities, and workplaces. Enough of them experienced the contradictions between the state's strategies for building socialism (for which the political demographic policies were essential) and citizens' strategies for living their everyday lives. As a result of the growing chasm between official rhetoric and lived experience, these strategies were increasingly at odds.

In the following section, I present an overview of the development of the political demographic policies which began with the banning of abortion in 1966 and culminated in their full elaboration in the 1980s. As the declining birthrate statistics for 1983 demonstrated, the banning of abortion in an environment of increasing deprivation did not produce an increase in the birthrate. This underscores the historical and comparative fact that banning abortion does not stop it; furthermore, abortion practices must be understood in the context of daily life as lived. In 1985, a yet more stringent anti-abortion law was signed, and coupled with coercive measures designed to force people to bear children (desired or not); these contributed significantly to the social atomization of Romanian society, and the progressive dehumanization of Romania's populace. The intrusion of the state into the intimacy of the body (as well as conscience) was inescapable. I discuss at length the means by which the practice of medicine and the bearing of children had become patriotic duties determined by the state.

The medical profession was held socially responsible for promoting the birthrate plan and

for reducing infant mortality rates which had been steadily rising. Hence, coercive measures were also devised to secure medical practitioners' compliance with the pronatalist policies. Medical cadre were also required to perform gynecological controls on women of childbearing age (16–45 years), with or without their consent. I discuss the state's policing of the bodies of its citizens, as well as the ethical problems and humanitarian concerns that result from the state's legislation of the legal parameters of medical practice. The emergent dilemmas heightened the culture of fear that pervaded everyday life in Ceausescu's Romania.

In Ceausescu's Romania, the consequences of making abortion illegal and denying women and/or families the right to control their fertility choices produced the highest maternal mortality rates in Europe, among the highest infant mortality rates, a deliberately suppressed infant AIDS epidemic, the institutionalization of abandoned children, and, subsequently, a private, international adoption trade in Romanian babies and children. The heartbreaking and chilling irony of Ceausescu's pronatalist policies was that illegal abortion became the predominant contraceptive method. The consequences of legislating reproduction without regard for the material conditions of daily life meant that many women, unable to fulfill their "patriotic duties" gave up their lives in the service of the state.

In the next section of the report, I briefly discuss the politics of reproduction in post-Ceausescu Romania. One of the first laws repealed by the interim government was the anti-abortion law. Since the end of the regime, two phases of policy formulation related to reproduction may be distinguished. These reflect the gradual formation of effective institutional procedures meant to recognize and protect the rights of individuals in society. They are indicative of the fundamental changes taking place in Romania, however traumatically. I discuss

the problems associated with the legalization of abortion in the absence of contraceptive education and alternatives. I also discuss the complex factors that gave rise to the private adoption trade in Romanian babies and children. This situation was driven by the economic hardships that the transition has provoked (and opportunistic attempts to profit from them), as well as by the desire for white babies on the part of those seeking children through international adoption processes. Each has contributed to varied forms of exploitation of women's reproductive lives, with particular consequences for poor women. The number of social orphans (children with one living parent) is on the rise in Poland, Russia, etc. The Romanian case has prompted preparation of an international treaty on adoption.

In the final section of the report, I argue that the Romanian case provides a basis for us to rethink abortion-related policies throughout the world. Debates about reproductive rights and legislation are topical in the United States, just as they are in Eastern Europe. Sensationalist attention to the Ceausescu pronatalist policies cast as unique and specific to such regimes masks the comparative force of their legacy. Romania offers a dramatic, but not isolated, case study. The comparative implications should be considered accordingly. While the right to abortion must be legally protected, abortion should not be a primary contraceptive method. Keeping abortion legal has attendant responsibilities. It is one thing to guarantee the right to abortion; it is another to assure that a diverse range of rights are also protected. All states intrude into the bodies of their citizens. However, a pronatalist culture need not be coercive nor restrictive of other social arrangements.

Demanding that women bear children at all costs, as was the case in Romania, or legislating that they do, as may be the case in the United States, are facile and misguided

approaches to demographic concerns. Analysis of the political demographic policies of the Ceausescu regime, of which the banning of abortion was the legislative centerpiece, has underscored the unintended consequences that result from criminalizing abortion in conjunction with limited access to the resources that made everyday life livable. These consequences suggest that the Romanian case is instructive, and must be born in mind by those who would ban abortion elsewhere.

1. By politics of reproduction, I refer to the complex relations between individual, national, and global interests that influence reproductive practices, public policy, and the exercise of power. The politics of reproduction centers attention on the intersection between politics and the life-cycle.



## **When Abortion Is Banned:**

### **The Politics of Reproduction in Ceausescu's Romania\*, and After**

#### **Introduction**

The politics of reproduction writ large is variously on the global political agenda. By politics of reproduction, I broadly refer to the complex relations between individual, local and global interests that influence reproductive practices, public policy and the exercise of power. (See Ginsburg and Rapp, 1991.) More succinctly, the politics of reproduction centers attention on the intersection between politics and the life cycle, whether we are talking about abortion, biogenetic technologies, international family planning programs, eugenics, or welfare. This brief excursus into the politics of reproduction in Romania enables us to comprehend better the lived process of social atomization and dehumanization that is a legacy of the Ceausescu era. Since the fall of the Ceausescu regime, the world's media has been filled with dramatic news about the tragic consequences of the pronatalist policies. The legislative centerpiece of these policies was the strict anti-abortion law that was originally passed in 1966.<sup>1</sup>

Debates about reproductive rights and legislation are currently topical in the United States, just as they are in Eastern Europe and elsewhere. This study also enables us to focus on the social implications and human costs of restrictive reproductive legislation and policies, especially as they impact on the lives of women and children. When reproductive legislation and policies are formulated according to abstract ideological or theological tenets rather than in consideration of actual socioeconomic factors that affect the quality of human life, then the lived consequences are often tragic, particularly for women and children. Sensationalist attention to the Ceausescu pronatalist policies cast as unique and specific to such regimes masks the comparative force of their legacy. Romania offers a stark, but not isolated, case study. The comparative implications are sobering.

In Ceausescu's Romania, the "marriage" between demographic concerns and nationalist politics turned women's bodies into instruments to be used in the service of the state. The paternalist state partially exercised its authority through the elaboration of a discourse and related set of practices

centered on "the family." The state's rhetoric about the family resonated with familiar cultural patterns. "Traditional" Romanian family structure is patriarchal (Kligman 1988); the dependency relations that are created through patriarchal family organization were elevated to the level of the socialist state's "legitimate" rule over its citizens. In this report, I will explore the relationship between official rhetoric, policy, and everyday practice through an analysis of the politics of reproduction during Ceausescu's reign. I will discuss Ceausescu's pronatalist policies, and comment on the human dramas born of them: illegal abortion, child abandonment, infant AIDS, and international adoption. In part, analysis of the politics of reproduction, or political demography in regime parlance, serves as a focused case study of the relations between the state and its citizens. These policies brought the state directly into its citizens' bodies and their intimate relations. As such, the pronatalist policies may be viewed as indicative of the character of the polity, of how the state conceived of and represented itself. Analysis of the complex relationship between the official discourse about reproduction, the policies that translated this official rhetoric into state practices, and citizens' lived experiences of these in Ceausescu's Romania enables us to understand the means by which the regime was perpetuated, and by which compliance and complicity were systemically structured. At the same time, analysis of this complex relationship during the socialist regime underscores the increasing separation between the official rhetoric of the regime and the average citizens' life experience; this growing disjunction ultimately contributed to the regime's downfall.

In the first section of this report, I will briefly summarize key ideological tenets of the Ceausescu regime that contributed to the shaping and implementation of the pronatalist policies. I will then present an overview of the development of the political demographic policies, concentrating on their full elaboration in the 1980s. In the final section I will briefly treat the politics of reproduction in "post Ceausescu" Romania. Since the end of the regime, two phases of policy formulation related to reproduction may be distinguished. These reflect the gradual formation of effective institutional

procedures meant to recognize and protect the rights of individuals in society. They are indicative of the fundamental changes taking place in Romania, however traumatically.

**I: Gender Equality, "Homogenization" and the New Socialist Person**

Socialist regimes were distinctive in their professed ideological dedication to gender equality, taken to mean that women should have the right to work. The underlying rationale was that all citizens should contribute to the building of socialism "according to [his] abilities." Furthermore, incorporating women into the public sphere of the state would eliminate the subordination of women characteristic of their position in the bourgeois family. In recognition of one of women's "abilities"—childbearing—the socialist state intended to help women enter the economy by providing various forms of social assistance: guaranteed maternity leaves, guaranteed job security, childcare facilities. These entitlements functioned as positive incentives and were progressive in intention if not in their realization.<sup>2</sup> Although gender equality was ideologically extolled in all of the formerly existing socialist states, the progressive legislation regarding women's rights as workers often came into conflict with their obligations as reproducers of the labor force, that is, with their roles as childbearers.

Socialist states, driven by command economies, were actively engaged in social engineering. In theory, socialist transformation incorporated all levels of life, meaning that the population had to be mobilized accordingly. The "building of socialism" was predicated on a productionist mentality. The resultant relation between state policy and demographic factors bore directly on issues of changing gender relations and roles, and underscored the often contradictory interests of the state and its citizens, especially those of women. Romania represented an "extreme case of the generalized pronatalism" (Teitelbaum and Winter, 1985,100) which, from the mid-1960's, typified the region. Pronatalist policies, aimed at securing an adequate workforce to build socialism, formed part of the modernization strategies of these states.<sup>3</sup> Lacking capital intensity, socialist economies relied instead on labor intensity.

Modernization for Ceausescu also entailed securing Romania's independence from the Soviet

Union and from dependency on other nations(e.g. through international debt obligations).

Self-determination became a rallying call to stimulate the pride of the nation. The nation itself was to be "reconstituted"<sup>4</sup> through a neo-Stalinist social engineering project known as "omogenizare" (homogenization) to "homogenize" the populace and create the "new socialist person." Omogenizare, fully elaborated by the mid 80s, was meant to produce social equality by making social differences insignificant.<sup>5</sup> To this end, race, gender and ethnicity were all to be homogenized. Each body was to be molded into a productive member of the socialist masses. Persons were to be recognized, or publicly legitimated, by their contributions as workers to the building of socialism, not by factors that marked their distinctiveness.<sup>6</sup>

Deviation from the norm was tantamount to treasonous activity directed at the overthrow of the state. "Difference" was (literally) "Other."<sup>7</sup> Persons only "existed" in the public sphere of the state; the Romanian state, from the standpoint of theory, appropriated the private realm of social interaction unto itself. By refusing to acknowledge the legitimacy of private domains of interaction, the state extended its tentacles of control into the bodies and minds of its citizens. Consciousness was to be shaped accordingly. In that a developmental process was entailed, "instruction" about the practices, ethics and morals of socialism began at a young age through mass participation in youth organizations.<sup>8</sup> Education and refinement were similarly ongoing endeavors; students and workers continually participated in practical and ideological "work" throughout their lives. Competitions were organized in all spheres of activities; these served as the mechanisms through which citizens became recognized as and rewarded for being "heroes of socialist labor."<sup>9</sup> The final result of the homogenizing process would be the socialist body politic, the embodiment of a totalizing image of the state.<sup>10</sup> In effect, the boundary between the state and citizen was deemed transparent.<sup>11</sup>

All domains of life were affected by "omogenizare." As a strategy for change, homogenization was communicated through homologous discursive practices in diverse areas of political speech and

policy formulation (e.g. cultural activities, political demography, education, etc.).<sup>12</sup> Conformity and standardization were the nuts and bolts of homogenization. This "multilaterally developed" project assumed the production of identical conditions of daily life for all citizens. ("Multilateral development" was a phrase coined by Ceausescu to emphasize the necessity of "building socialism" in the material as well as "spiritual" or consciousness realms of society.<sup>13</sup> ) An ideal form of social organization would be achieved through the advancements that the "systematization" of rural and urban settlements would bring. Rural and urban communities would be homogenized, eradicating the glaring differences in living conditions. (By the late 80s, the overall plan became known outside of Romania as the village destruction plan.<sup>14</sup>) Urban amenities would be available to all.<sup>15</sup>

Building codes dictated a national public aesthetic. Only minimal variation, usually reflecting local or regional motifs, was permitted.<sup>16</sup> For example, strict adherence to these codes was required for construction along primary roads. "Appearance" marked the spatial materialization of the regime's ideology of homogenization.<sup>17</sup> Ultimately, Ceausescu envisioned that the country would be dotted with apartment complexes, each with communal eating halls (somewhat along the lines of college dormitories). In keeping with these plans to create social equality, conformity, and homogeneity, a plan to standardize what and where Romanians ate was devised. Romanian bodies would be identically nourished. Meals prepared according to "scientific" indicators would eventually be served in the communal eating halls. (The implementation of "scientific alimentation" among the population was unsuccessful, partially in consequence of the difficulties of procuring food in general, let alone foods that were designated "healthy." By the 80s, much that was produced was exported as a means to repay the foreign debt.)<sup>18</sup>

From an ideological perspective, the paternalist state viewed itself as beneficent. In actuality, the ethos of homogenization reflected a "crude paternalism" in which the Party-State claimed unto itself the "sole prerogative to define the "public good"(Bruszt 1988, 50).<sup>19</sup> Again, this public good was to

be achieved through homogenization. Policies that were consistent with these ideological goals were formulated. Although their intent was meant to be fully encompassing and controlling,<sup>20</sup> ideological programs registered through political rhetoric are insufficient to account for what actually happened. Public discourse was a vehicle through which Ceausescu's political ideas were disseminated; however, contrary to standard assumptions about totalitarian states, there was no one-to-one correspondence between what was dictated at the top and what actually happened. (This is why official rhetoric must be related to social practice.) In the end, Ceausescu's regime did not evidence the physical brutality historically associated with a Hitler or Stalin.<sup>21</sup> The Romanian dictator's "totalitarian" vision was only partially realized in practice. Policies were implemented by individuals who, despite their "Party functions," lived their daily lives as members of extended families, communities, and work places; they did not live solely in ideological scripts. If perhaps to lesser degrees, enough of them experienced the contradictions between the state's strategies for building socialism, and citizens' strategies for living their everyday lives. In consequence of the growing disjunction between official rhetoric and lived experience, these strategies were increasingly at odds .

For Ceausescu, official rhetoric acquired the status of being more real than apparent realities (those conditions to which some refer as empirically verifiable). The "word"—official rhetoric—represented and dictated what were to be "objective" realities. This "celebration" of official rhetoric in the public sphere was meaningful as official "signifying practice;" understanding it enabled individuals to conform publicly, as well as to resist (however passively) through black market, secondary economic activities, or personal thought.<sup>22</sup> Thus, the importance of ideological discourse for the functional legitimation of the Ceausescu regime must not be dismissed as "just so many words." These discursive practices were understood in terms of the "magical power of words" and their power to embody what the state should be, if not what it was. The imagery of the state as a body with an identity and desires is powerful in its potential to appeal to the emotional sensibilities of citizens, as

well as to the perception of the "state" as a being unto itself.<sup>23</sup>

Indeed, the state "spoke" incessantly about its identity, desires, and achievements.<sup>24</sup> Contrary to the predictions of Marxist theory, ideology<sup>25</sup> (again, disseminated through official discursive practices) rather than material conditions came to "determine" social life in Ceausescu's Romania. In accordance with this twist of "theoretical" fate, the extent to which official rhetoric was reified by and for ideologues helps to clarify how the system represented itself and functioned within the terms of its own rhetoric. Throughout the 80s, despite increasing scarcity and dramatically deteriorating conditions of everyday life, abundance was realized daily—in the formulaic speeches of the leader.<sup>26</sup> The achievements of the socialist state were measured by fulfillment of "the plan,"<sup>27</sup> an artful mode of interacting with "the state" that operated at all levels. (See, for example, Verdery 1991a; Lampland 1991, pp. 47–74; Rev 1987.) For example, party bureaucrats became adept at "fulfilling" the plan through the conscientious manipulation of data. "Reality" was forced to conform to the plan's dictates. Statistics were not necessarily used to suggest methods of solving problems or achieving goals. (Early AIDS data were deliberately suppressed; in response to rising infant mortality statistics, births were not recorded for several weeks.) Instead, and importantly, statistics were often used as political instruments. Interpreted as objective representations of "reality," they became the tools by which officials were removed, or individuals were punished. In this regard, official rhetoric functioned as an effective means of control.<sup>28</sup>

Here, it should be noted that interpretation of official texts (i.e. party platforms, plans, etc.) was predicated on strictly formalist, literal readings of their content. Basically, public meaning was revealed by analysis of the text, not by analysis of the text in relation to the context in which it was embedded. Ultimately, this resulted in a fully disembodied rhetoric in which all participated. In consequence, a false "reality" was created and supported.<sup>29</sup> Again, adherence to "the word" engaged all citizens in varying degrees and acts of daily dissimulation, as well as varying degrees and acts of

complicity in perpetuating the system, or resisting it to whatever degree.<sup>30</sup> As the years passed, the state's self-representation and people's everyday experience were increasingly at odds. The growing chasm between official representations of "reality," and what people experienced in their daily lives helped to sow the seeds of the eventual destruction of the system which imploded upon itself.

## **II: Political Demography**

Rumania, for instance, had anticipated Gilead in the eighties by banning all forms of birth control, imposing compulsory pregnancy tests on the female population, and linking promotion and wage increases to fertility.

(Margaret Atwood, *The Handmaid's Tale*)

### **A: The Pronatalist Policies**

Under Ceausescu's rule, the Romanian state increasingly intruded into its citizens's intimate lives to ensure "normal demographic growth" of the labor force and the "triumph of socialism" (Resolution of the Executive Political Committee of the Central Committee of the R.C.P., March 1984.) Laws established in the Constitution and the Family Code laid the groundwork for active political-educational campaigns as well as for the implementation of positive incentives, augmented over the years by an increasing number of coercive measures. (See, for example, Trebici 1975.) Article 18 of Title II, the "Fundamental Rights and Duties of Citizens" of the Constitution of the Socialist Republic of Romania (SRR) granted:

In the SRR, citizens shall have the right to work. To each citizen the possibility shall be guaranteed to perform, according to his (*sic*) training, an activity in the economic, administrative, social or cultural fields, remunerated in accordance with its amount and quality. To equal work, there shall be equal pay. Measures for protection and safety at work and special measures for the protection of women's and youth's work shall be established by law.<sup>31</sup>

The State assumed legal responsibility for the family as a means to underscore its social significance in the development of the "new socialist person."<sup>32</sup> The family was considered to be a social institution, par excellence. Its primary contributions to the building of socialism were in the realms of reproduction of the population, and by implication, of the workforce; and of education, with respect to the "spiritual reproduction of society" and the social integration of youth into society. (See



Liciu, 1975, p. 10.) Article 23 of the Constitution proclaimed that:

In the SRR, women shall have equal rights with men. The state shall protect marriage and family and shall defend the interests of mother and child.

Marriage, into which partners entered on the basis of "free consent" was the legal foundation of the family. Law 4/1953, Article 1 of the Family Code read:

In the SRR, the state shall protect marriage and the family; it shall support the development and strengthening of family through economic and social measures. The state shall defend the interests of mother and child and shall display a special care for the upbringing and education of the young generation. 'In the relations between a couple, as with the exercise of their rights relative to their children, a man and woman have equal rights.'<sup>33</sup>

To "support the development and strengthening of family through economic and social measures," the socialist state intended to help women enter the economy by providing various forms of social assistance: guaranteed maternity leaves, guaranteed job security, childcare facilities etc. These entitlements functioned as positive incentives, and were progressive in intention if not in their realization.<sup>34</sup> Their existence constituted an attempt to address the problems posed by the incorporation of women into the labor force and polity. Legislation regarding women's rights and entitlements in the family and the work place were publicly available for purchase, and reference. These were periodically updated.<sup>35</sup>

In the state-controlled public sphere of power, women, like minorities, were represented in positions of authority. There was an operative quota system, paying lip service to the participation of women and minorities (Hungarians, Germans, Gypsies and Jews) in leadership roles. Access to power was stratified. A few women entered the ranks of the Central Committee, such as Elena Ceausescu and Lina Ciobanu, who—as workers—respectively represented chemistry and the textile industry; most women, however, generally filled positions in culture, education, or light industry—that is, positions deemed suitable for women. Women were similarly brought into the labor force; they tended to occupy lower status, more poorly paid job niches. (This partially accounts for women's current vulnerability in

the face of economic restructuring). Moreover, the early emphasis on heavy industrialization as a modernizing strategy often led to the feminization of agriculture. Agricultural labor was more attractive for women because of flexible work schedules, enabling them to both work and tend to families.<sup>36</sup> They were not tied strictly to the clock of industrial production.

Women's participation in the national economy and society as workers and mothers created the classic "double" and "triple" burdens of work in the state sphere, housework and children. (These burdens increased over the decades as the "double burdens" of the 60s and 70s became triple burdens in the 80s when childbearing officially became obligatory.) Occupational advances were not coupled with the production of timesaving household devices nor with any emphasis on changing gender roles within the family.<sup>37</sup> By 1989, just how well the Ceausescu regime had fulfilled its legal obligations to "defend" the interests of women and to display "special care" for the young became the focus of international media attention. After the fall of the regime, innumerable reports began to be filed about the horrors of life for children abandoned in Romanian orphanages, grim tales about the tragic infant AIDS cases, and the multifaceted international traffic in Romanian babies. The discrepancy between the Ceausescu regime's official rhetoric and everyday practices (institutional and social) was not internationally recognized until the 1980s. By then, the consolidation of power and the institutionalization of a "culture of fear" in Romania enabled this chasm to widen.

The initial pronatalist measures began in 1966. The birthrate in Romania had fallen to 14.3 per 1000 population from a 1960 rate of 19.1 per 1000 (Trebici 1975, p. 527.). This decline was attributed, in part, to the liberal law that had legalized abortion and made it readily accessible. To remedy this situation, law 770/1966 was introduced. This law<sup>38</sup> prohibited abortions except if: the pregnancy endangered the life of the woman such that no other means could be taken, a hereditary disease was involved, the pregnancy was the result of rape, the woman was 45 years of age or over, or she had delivered and reared four children. The imposition of this law caught Romanians by surprise; in 1967,

the birthrate dramatically shot up to 27.4. (According to Trebici, *idem.*, there were 527,764 live births in 1967 as compared with 273,678 in 1966.) The anti-abortion law was accompanied by a series of progressive measures meant to encourage women to bear children. These included financial allowances for families, and child support benefits (see Decree 410/1985)<sup>39</sup>, maternity leaves and work protection (Decision 880/1965, Articles 13–17; maternity leaves were usually 52 days prior to delivery and 60 days thereafter, these being interchangeable), protection for working women and children (dispositions of the Work Code, especially section VII); access to medical attention throughout all phases of pregnancy and mother/child medical care (Law 3/1978; Decree 246/1958), and childcare facilities (Decree 65/1982).<sup>40</sup> Similar incentives existed throughout Eastern Europe although their particulars varied. Romania followed the spirit of this progressive legislation, but had the least adequate provisions. Ultimately, as shall be seen, Ceausescu added coercive measures unparalleled elsewhere.

As was true for other competitions in the sphere of production, mothers who bore many children were honored as "heroes of socialist labor" for which they were awarded decorations and minor privileges. To this end, State Council Decree 190/1977, Article 13, announced that: "mothers who have delivered and reared several children may be offered the following decorations: the order "Heroine Mother," the order, "Maternal Glory," and "Medal of Maternity."<sup>41</sup> These categories were further stratified:

- Women who delivered and reared 10 or more children were awarded the title of "Heroine Mother;"
- Women who had delivered and reared 9 children received the first class "Order of Maternal Glory;" those with 8 children, the second class Order of Maternal Glory; those with 7, the third class award in this category;
- Women who had delivered and reared 6 children were awarded the first class "Medal of Maternity;" those with 5, the second class "Medal of Maternity."

The stipulations of this decree must be read carefully. If a woman bore ten children, that did

not automatically qualify her for the honor of Heroine Mother. She also had to have reared them. Given the high incidence of infant mortality, especially in rural areas, this was difficult to achieve. To illustrate, a peasant woman I know well had given birth to nine children, of whom five survived the rigors of infancy and/or early childhood. Consequently, the mother only qualified for the second class "Maternity Medal" rather than the first class medal of "Maternal Glory." The wording to the effect of "delivered and has in her care" is also significant with respect to the abortion law. The 1966 law states that women must have given birth to "four children and have them in her care." Children acquired through second marriages and/or adoption did not qualify women for medals or abortions.

Mothers, like all citizens upon whom the title of "Hero of Socialist Labor" was conferred, benefitted from certain privileges that included priority invitation to official sociopolitical events, priority for credits for construction or purchase of privately owned dwellings, and additional holidays in the year that the award was given (see Article 17, Decree 190/1977). Women honored with medals in the categories 7-10 or more children received a one-time supplemental sum, although this was haphazardly distributed. As of 1987, the financial benefits remained at their 1977 levels: Heroine Mothers(10+ children) received 2000 lei; 1st class "Maternal Glory" mothers (9 children), 1500 lei; 2nd class(8 children), 1000; 3rd class (7 children), 500.

Pronatalist propaganda increased as the years wore on. Ceausescu initially presented what appeared to be a "kinder and gentler" version of what was later to become a draconian policy; the 1970s' version of the abortion law lowered the age limit to forty as the minimum.<sup>42</sup> In these earlier years, Ceausescu emphasized the promotion of women in politics, the economy, and society<sup>43</sup>. In 1971, he began promoting his wife, Elena Ceausescu.<sup>44</sup> To legitimate this first step in the creation of "dynastic socialism,"<sup>45</sup> a political-educational campaign about the "multilateral" promotion of women into the labor force as workers and mothers of future workers was inaugurated. Ceausescu militated against gender discrimination, demanding that persons be treated not as men and women, but in terms

of their qualities as members of the Party, and as citizens:

...If we speak about the creation of conditions of full equality between the sexes, this means that we must treat all people not as men and women, but in their qualities as Party members, as citizens, for which they are exclusively judged according to their work contributions.<sup>46</sup>

He also began stressing:

An obligation of national interest is the protection and consolidation of the family, the development of a corresponding consciousness about the growth of an increased number of children, and the formation of healthy and robust generations profoundly devoted to the cause of socialism; in this realm women have a distinguished role and a noble mission.<sup>47</sup>

Ceausescu superficially recognized the tensions created for women through their roles as mothers and workers. In 1978, he urged that particular attention be paid to the solving of these problems through the construction of childcare facilities, the production and distribution of household appliances, semiprepared foods, etc.—so that women could use their time efficiently in their multilateral pursuits.<sup>48</sup> However, the inverse relationship between Ceausescu's official statements about women's lives, and the demands of their everyday lives was something that women experienced fully.

Propaganda notwithstanding, by 1983, the birth rate had again declined to the 1966 level<sup>49</sup> although there had long been no pro-choice law to which this could be attributed, as was the case in 1966. Romanians had managed as best they could in an environment in which contraceptives were unavailable through legal means;<sup>50</sup> pregnancies were avoided through illegal abortions, abstinence<sup>51</sup>, and coitus interruptus. The decline in the birthrate coincided with a steady deterioration in the material conditions of everyday life.<sup>52</sup> In the interest of national self-determination, Ceausescu had decided that Romania's outstanding foreign debts would be repaid—at enormous cost to the quality of life. Production was targeted for export. By 1984, winters were endured with little heat or electricity; food staples were rationed.

1984 ushered in the Orwellian policies that became the basis for Margaret Atwood's novel, *The Handmaid's Tale*,<sup>53</sup> and for a Romanian national tragedy. On International Women's Day, March 8, 1984, Ceausescu saluted women's importance to the nation by again exhorting them to bear four or

more children in order to fulfill the national goal of increasing the population from 22.6 to 25 million by 1990. As was inevitably the case, popular political sentiments could be gauged by joke content. One noted that people were willing to agree to the four-child plan, as long as it was applied consistently with state production policy: keep one child, and export the other three. This also referred to the "hushed up" state trade in babies for hard currency. Also in 1984, Ana Blandiana, a revered poet (and now feted member of the Civic Alliance opposition social movement), wrote a poem criticizing these brutal policies:

*Children's Crusade*

An entire population  
as yet unborn  
but condemned to birth  
lined up in rows, before birth  
fetus beside fetus  
An entire population  
which doesn't see, doesn't hear, doesn't understand  
but develops  
through the convulsed bodies of women  
through the blood of mothers  
Unmasked.<sup>54</sup>

Had Blandiana intuited the death sentence unwanted children were later to receive, damned to a life's struggle compressed into days, weeks or a few years as a consequence of the deliberately suppressed infant AIDS statistics?

Despite Blandiana's poignant and pained words, pronatalist propaganda flourished in multiple domains. Demographers<sup>55</sup>, doctors, and women's and youth organizations were solicited to participate in the mass pronatalist propaganda campaign; ideological bombast was cemented by threats of punishment, thereby managing the complicity of most. Thus, active members of a women's organization would swallow pronouncements such as the following that called for:

The increase of women's responsibilities with respect to: the realization of Party and our states demographic politics, to the education of children and youth in the work spirit [ethic], of unlimited love and devotion for the fatherland and Party, for comrade Nicolae Ceausescu, general secretary of the Party, for Elena Ceausescu, for the extraordinary [in the sense of

wonderful] conditions of life, work, and education which have been created during the years of socialism("Cadre regulations for the organization, operation and content of the activities of the [women's] clubs, 'Femina," issued by the National Council of Women, 1984, point 2f, pp. 13-14;).<sup>56</sup>

Sex education was stepped up, including premarital health counseling and checkups, lectures and films at work locales.<sup>57</sup> Competitions in the realm of "health knowledge" were promoted in magazines such as *Sanatatea*.<sup>58</sup> By the 70s, this magazine, like most others, highlighted Ceausescu and his "thought." The women's magazine, *Femeia*, found in all of the cultural centers across the country(in towns and villages), soon lost its typical profile as a magazine for women. By the 80s, articles about household concerns were limited, while those about women in the workforce had increased. The ads for clothing and household items characteristic of the 60s had been replaced by pictures of the ruling couple, his speeches, and "patriotic" poems or stories from the national cultural festival, *Cintarea Romaniei*(The Song of Romania)<sup>59</sup> A new section on children, "the supreme joy, supreme responsibility," was introduced in 1987, again, in the interest of increasing the birthrate. Motherhood—regardless of marital status—was the message.<sup>60</sup>

Morality tales about good and bad mothers abounded. A young, single mother wanting to give her child up for adoption was chastised in the response to her letter of inquiry (of the "Dear Abby" sort). What kind of young woman was she? She had a job, was healthy with her whole future ahead of her. She herself had been left motherless at the age of 13. The thrust of the argument was that a "single mother is not to be condemned; a mother will always be respected. Perhaps for a while you won't be able to offer your child the maximum, but be certain that no one in this world can offer what you can [mother love]"(*Femeia* 12, 1988, p. 13).<sup>61</sup>

Educators and activists received all manner of booklets about the relationship between health and demography, about marital harmony, care of infants and children, and the consequences of abortion. For example, a booklet prepared by the Health Ministry's Institute of Hygiene and Public Health included topics such as the methods and contents of health education in problems of

demography, protection of mothers, children and youth; the latter addressed reproduction and problems related to it, fecundity, pregnancy, birth, elementary notions of infant and child care, venereal diseases. Regarding sexual relations, "a normal regulated sexual life, within normal relations of 3–4 weekly" was recommended:

Exceptions to this frequency occur in the first months after marriage and is explicable and inoffensive; then there is a gradual decrease, being stabilized at the above-mentioned medium. Excesses in frequency or duration of the sexual act are surely tiring, taxing on health, as are rare sexual contacts which gives rise to nervousness, agitation and insomnia.<sup>62</sup>

The virtues of motherhood were extolled, emphasizing that "motherhood is itself the meaning of women's lives." Interestingly, this modern socialist "Plea for Motherhood" claims that: "Research shows that working mothers are better than housewives. Contact with the social world makes her more receptive to the new, to changes, and [enables her] to adopt scientific attitudes about the problem of family life and the child."<sup>63</sup> Articles in the state paper, *Scinteia*, instructed the population about the patriotic virtues of large families, and the noble mission of motherhood. For example:

March 9, 1984: "Orientations of exceptional significance for the nation's future contained in Comrade N. Ceausescu's address: Families with many children —a law of life and of human fulfillment, a noble patriotic duty."

This theme was reiterated incessantly for the rest of the decade. A series of articles titled "A House with Many Children" (e.g. January 30, 1986, February 5, 1986, April 1, 1986) highlighted individual families and/or villages in the spirit of their being "heroes of socialist labor."<sup>64</sup> Other headlines read: "Demographic growth—an exalted responsibility of the entire society"(April 3, 1984); "For the eternity of families, for the vigor of our people" (March 16, 1984); "The joy of being a mother" (June 4, 1987). Images of the happy maternal-child relation abounded.

Women were differentially affected by the pronatalist policies. Urban women with higher educations managed to acquire black market contraceptives or to arrange for illegal abortions performed by medical personnel. Others, such as factory workers, bore the costs, material and bodily, of these policies. It is assumed that rural women were less radically affected because of the influences of



religion and local cultural habits. Although these assumptions may generally be true, it is important to note that there was considerable regional variation. Many rural women participated in the seasonal migrant labor force, and as a consequence, were introduced to different practices. Some of them married out; some had abortions that they otherwise may not have had in their natal villages. In an unsuccessful bid, the regime attempted to get rural women to sign contracts to produce four children, in the same way that peasants signed contracts with the state. (Women and children were factored into the category of "forta de munca," workforce.) The analogy of "women as cows" was castigated by village women who questioned what would happen if they were unable to have a third or fourth child. Would they be sent to prison? What if a child died; would they be required to produce another?<sup>65</sup> The "what ifs" were recounted with outrage. These same women, and their families, often expressed a desire to have more children, but were unable to make do as was.

Also, and again undocumented by "hard" data, responses to these policies were differentiated by ethnicity as well as class. Physicians repeatedly pointed out that Hungarian Romanians, for example, had greater access to black market contraceptives through their kin and/or ethnic networks. Hungary was a source for black market contraceptives. Moreover, many medical practitioners often mention that Hungarian Romanians draw upon a different cultural-educational heritage, the relation between educational level and family planning strategies being relevant.<sup>66</sup> In 1983–84, as the pronatalist campaign intensified and in keeping with the ideological line, a Hungarian Romanian radio station offered a program on stimulating natality. The editors of this show and of Hungarian radio programming were informed that there was no need for them to do so —that is, to stimulate higher natality among the Hungarian minority.<sup>67</sup> Although the pronatalist policies were formally applicable to all, there seems to have been an unstated preference to increase the birthrate of Romanians and not "hyphenated" Romanians such as Hungarians, etc.<sup>68</sup>

Demographers quietly called attention to the need to bring under control the higher birthrates of

the gypsy population. "Their exaggerated reproduction is determined especially by their lifestyle, the degree of their social and cultural backwardness."<sup>69</sup> The gypsy natality rate created concern among Romanians, who pointed out derogatorily that gypsies "multiply like rabbits" like people in the Third World, while the "European" birthrate—such as Romanian and Hungarian Romania—mirrored West European trends (zero or declining population growth; this concern has been heightened and generalized throughout Europe). It is believed that most gypsy women, in accordance with cultural beliefs, do not practice abortion, although this is not considered true for assimilated urban, middle class gypsies. (I have no information on gypsy contraceptive usage.) At the end of the 1970s, it seems that gypsy women, regardless of their age and number of children in their care, could get abortions in Arad, a city in Transylvania; whether this was a local initiative or a general disposition remains unverified. In any event, the politics of reproduction in Romania had hidden dimensions to it. Although "omogenizare" could not be posed as a discourse of "racial purity," stringent measures could be more leniently applied in the case of ethnic "others."

#### **B: Policing the Body**

As the declining birthrate statistics for 1983 had demonstrated, the "kinder and gentler" approach to increasing the birthrate in an environment of increasing deprivation had not yielded the desired results.<sup>70</sup> Thus, the regime resorted to a more determined strategy: coercion. Coercion, in keeping with basic development plans, was implemented "multilaterally." On December 26, 1985, a more stringent anti-abortion law was passed. Article 2 of Law 770 raised the age at which women became eligible for legal abortions back to the 1966 limit of 45; the law was further modified to read "the woman has delivered five children and has them under her care." Also on this day, the monthly "contributions of childless persons" (those over the age of 25, regardless of sex or marital status) were increased.<sup>71</sup> Another pronatalist measure had been signed into law in 1977 which penalized all childless persons —(again, anyone 25 years of age or older, married or not)—by subtracting a mandatory contribution from monthly wages. The sums varied, depending on the sector of the state

economy in which one worked, those in agriculture being taxed somewhat less. To avoid this monthly fee, some quit their jobs in state enterprises to work as migrant laborers—a little discussed adaptive strategy. In so doing, they rebelled against the state. Migrant workers often earned considerable sums of money for which they endured varying periods of uncomfortable living conditions away from their families. Those men that opted for this route were less easily policed with respect to their reproductive lives; this was also true for women who managed to avoid gynecological exams (see below). One way or another, reproductive and abortion statistics had become political tools to discipline the population, and were used accordingly.

The altered anti-abortion law, and the "instructions" regarding its application, included provisions to punish both physicians and women. The medical profession (in an attempt to secure their obedience to the regime) was held socially responsible for rectifying the birthrate crisis.<sup>72</sup> This crisis primarily involved abortion as well as infant mortality statistics (to be discussed below). Health practitioners were assumed to assist too many illegal abortions for personal gain. Medical practitioners were subject to imprisonment for any infraction of the abortion law, including failure to notify the prosecutor's office in due time. Article 188 of the Penal Code specified that if the proper authorities were not informed within 24 hours of an emergency medical procedure, the physician could be sentenced to 1–3 months imprisonment. (See also point 16 of Instructiuni nr. 819 regarding the application of the abortion law.) By the 80s, "proper authorities" included representatives of the prosecutor's office and the Interior Ministry, and three physicians—an obstetrician-gynecologist, a pediatrician, and an internist, as well as a secretary. Notification of the prosecutor's office alerted that office to a case in which a doctor could possibly be held responsible. (This office had to be notified during working hours; otherwise, the police had to be informed.) Of course, prosecutors also had wives, sisters, and daughters, meaning that some did not act in strict accordance with the law. Others were paid off by concerned, and profit-interested physicians. Given the penal sanctions for doctors,

abortion costs ranged from 2000–10,000 lei<sup>73</sup> (approximately \$160–\$830, with basic salaries ranging between 1500–2400 lei/month).

Medical cadre were disciplined by various means, depending on their relations with legal authorities, coworkers, immediate superiors, as well as the nature of the legal infraction. Publications such as *Muncitorul Sanitar* (*The Health Worker*) regularly printed moralizing articles about professional responsibility. (These were similar in form to the articles discussed above with respect to good and bad mothers that appeared in women's magazines. Official rhetoric was disseminated homologously in all realms.) Such articles reported cases that had come before the "Disciplinary Board for Health Personnel" which existed in each administrative region of the country. These boards functioned as public, institutionalized confessionals through which medical practitioners were disciplined. "I tell you sincerely: I would accept any administrative sanction other than being brought again before the disciplinary board" began one article. (See D. Lazarescu, "Constiinta Profesionala in Obiectivul Opiniei Publice Medicale" *Muncitorul Sanitar* 15, 1988.) A person in this situation had his or her professional ethics and morality publicly called into question.

Many of the cases reported in professional magazines served the interests of the political demographic policies; they dealt with problems that should have been avoided had the respective physician(or whomever) been professionally diligent,<sup>74</sup> while simultaneously calling attention to the politics of abortion. For example, a young, pregnant female textile worker provoked an abortion in her sixth month. No medical cadre were involved in the circumstances that led to her tragic death. However, three physicians were disciplined in conjunction with this case. It was claimed that she had not been properly examined (in gynecological exams to be discussed below) by the factory doctors, meaning that although she had been checked in her fourth month, there was no notation of a pregnancy on her chart.<sup>75</sup> Moreover, it was noted that her pregnancy was, by then, visible to the naked eye, and hardly required medical training to notice her condition. Hence, the physician's professional morality

had to be professionally scrutinized. The others were relatedly negligent; the board's purpose was to curtail, if not stop, "professional negligence."<sup>76</sup>

From time to time, there were show trials of doctors, midwives, and back room abortion practitioners.<sup>77</sup> When medical cadre were accomplices to an illegal abortion—having performed it, procured the necessary instruments, or acted as an intermediary—they could be, and often were, tried. In 1988, a retired physician was accused of having performed 17 abortions, all of which were illegal. For his services (and personal risk), he received 4–5000 lei/abortion. In the court record, it is noted that his guilt was established verbally through interviews with the women whom he "assisted." His acts were labeled "social dangers," as were all illegal abortions. His sentence was ultimately reduced from five years in prison to repayment of the sums received, court costs, etc. This leniency was allegedly due to his age (65) and dangerous health condition.<sup>78</sup>

In another case, several women were convicted for having performed illegal abortions, and/or been involved in the process. The abortionist received 500 lei plus a package of coffee, dried soup, for her efforts. (The price of an abortion varied considerably, as did the likely safety of the procedure.) Her sentence for having performed an abortion was lessened, however, due to her lack of prior convictions, as well as her sincerity throughout the phases of penal process. Generally, those who cooperated with the police, that is, informed on others, were not sent to prison.<sup>79</sup> Their sentences often made it possible for them to remain at work on carefully scrutinized probation. Those that did not cooperate, however, received prison sentences. If they were women, then they frequently left children motherless at home—hardly creating "ideal conditions" for the upbringing of children.<sup>80</sup> (Recall that the official rhetoric emphasized that the Romanian state had created "ideal conditions" for raising children. The experiences of everyday life contradicted these formulaic pronouncements, as did the removal of mothers from their homes for having broken a law by which they could not practically abide.) In effect, the practice of medicine and the bearing of children had become patriotic duties

determined by the state.

Just as physicians were held responsible for promoting the birthrate plan, so they were relatedly responsible for reducing the infant mortality rates which had been steadily rising. Indeed, by 1988, the Ministry of Health indicated that Romania had among the highest infant mortality rates in Europe. (See *Mortalitatea infantila in R.S. Romania in anul 1988*, Ministerul Sanatatii: Centrul de Calcul si Statistica Sanitara, 1989, anexa 1, p. 7; data compiled by international organizations in 1989 listed Romania as having the highest infant mortality rate. See "Romania: Comparative Social Indicators" *Transition* 2:8, 1991, pp. 7.) Statistics suggested that these rates were higher in rural areas among males between the ages of 1-4.<sup>81</sup> Causes were varied, but many were attributed to congenital abnormalities of the heart and respiratory system.<sup>82</sup>

By 1988, births were not registered for fifteen days. The official rationale for this delay was that those in rural areas where communication and transportation are more difficult would then have adequate time to report births, deaths, etc. But as many pointed out, this two week period allowed time to determine if an infant was likely to survive the first difficult phase of life,<sup>83</sup> and to adjust infant mortality figures. Again, statistics were the object of deliberate manipulation. In this grace period, if the infant died, then the doctor might attempt to convince the mother to agree to list the child as a "stillbirth," that is, dead upon birth. "If you are not registered alive, then you are not registered dead (that is, an infant mortality statistic) either," explained a physician. Stillbirths got doctors off the hook. However, this depended on the mother's state of mind. Some were intent on receiving the minuscule financial contribution to which they were entitled for bearing children. A mother had to be convinced that declaring a child a stillbirth was a humanitarian gesture. Otherwise, a physician could be vulnerable to accusations, political trials, etc. Again, these uncertainties heightened the general culture of fear that served to cement a system of complicity.

The intrusion of the state into the intimacy of the body was inescapable. In 1986, Ceausescu

introduced a campaign unique in the history of Romanian medicine; this campaign was supposed to analyze the health of the population, particularly that of women between the ages of 16–45. (Note that these are the years when most women are fertile.) These exams, regardless of officially professed intentions, subjected women of childbearing age to state control of their reproductive lives. Women working in or attending state institutions were given at least annual, and in some places, trimesterly gynecological exams to verify that their reproductive health was satisfactory.<sup>84</sup> If, in such a routine exam, a woman was discovered to be pregnant, the development of her pregnancy could then be closely followed lest there be any untoward mishap. Women that had already had abortions (legal or not) were more carefully watched for "preventive reasons," and in some cases, confined to hospital. For women living in rural areas, local medical cadre were expected to follow up on their pregnancies through home visits (a practice resented by all involved.)

Again, much was written in the official press about these exams, and the language in which this was done was telling. The intent of obtaining medical histories about women of childbearing age was to have "in evidence... all of the elements that might negatively influence the normal evolution of a pregnancy."<sup>85</sup> While pre and postnatal care may be commendable under "normal" circumstances, in the context of a coercive pronatalist policy, such prenatal care served to police the body, with doctors put in the position of aiding and abetting the interests of the state. Women were not always aware that they were deliberately being checked to see if they were pregnant; annual exams were considered routine, another obligation. One doctor confided that among her staff, some took pleasure in "finding" a pregnant woman. Others, who were more compassionate, did not.

Here, it is appropriate to explore the "gynecological exam" campaign in slightly greater detail. By making the medical profession responsible for improving the birthrate, state-employed medical cadre became at one and the same time hostages to the "plan" and to their consciences. From the standpoint of national planners, increasing the birthrate involved a "production plan," as did all aspects of building

socialism. Medical activists were required to see that the plan was fulfilled for which they had a "medical exam" "plan" ("plan de controale"). Toward this end, they were assigned to examine women and to control medical records. If the (re)production norms were not met, physicians were "taxed" a percentage of their pay (much as childless persons paid a monthly tax). To meet the norm, doctors had to perform 50–60 gynecological exams a day to cover a factory population in a certain period of time.<sup>86</sup> Reports were circulated internally among the appropriate government institutions. These were often marked "for internal use," and were not for public transmission. To illustrate, one head of an obstetrics-gynecology unit produced an official report titled:<sup>87</sup>

*Informare asupra modului in care comunistii, toti oamenii muncii din clinica obstetrica-ginecologie se preocupa de ameliorarea indicatorilor demografici, expresie a eficientei muncii lor.*

[Information about the means by which communists, all workers in the obstetrics-gynecology clinic strive to better the demographic indicators, an expression of the efficiency of their work.]

The continuing efforts of the workers in this unit were underscored. Subtly embedded in this official report were veiled criticisms of the political-demographic policies, as well as of general conditions for medical treatment. To work more efficiently, it was suggested that better equipped examining rooms be provided at factory clinics. Or, regarding the high number of illegal abortions, it was noted that there was inadequate health education in the country which contributed to this problem, as well as to the number of maternal deaths due to illegal abortions.<sup>88</sup> The report stated forcefully that permanent control was exercised over respect for the legislation and rules regarding abortions. Data had been confirmed by the appropriate police authorities and the procurator's office.

Official reports from the provinces contained summaries of political-demographic activities in each of the zones comprising an administrative region: "Positive and negative aspects, and problems to be resolved in the medical units...." These controls, done by medical Party activists, were conducted at least annually and contained data on the number of births, infant mortality statistics, abortions, complications resulting from illegal abortions, etc. The number of females examined were also



reported: in community X: "in the first trimester of 1986, 500 female students, 1200 urban women, and 1500 rural women were examined. Of the urban women, 12 were diagnosed pregnant; 10 among rural women. There were no cases of pregnancy among the students, almost all of whom were virgins;" in community Y, "there are 17,000 women between the ages of 16–45, of whom 7% are unmarried; 10% are childless; 13% have one child; 20%, 2; 13%, 3; 19%, 4 or more children. The periodic gynecological exams have been done thus far on 1300 students, all of whom are virgins;" (Note that the reliability of such a finding—that all were virgins—is questionable; what is more important, however, is that this finding is believable for those who wish to believe it.) The details provided varied from community to community; the style of the report did not.

The contents of such reports were popularized for ideological purposes, and disseminated in the press. For example, it was recounted that:

...periodic controls of workers were concluded one month before the end of the year;...all of the female workers were examined, especially the 6500 women of childbearing age of whom 500 were recorded to be in their first trimester of pregnancy. Those with problematic pregnancies were sent to the hospitals that deal with such problems. Sixty sterile couples began treatment....(V. Petrescu, "Sanatatea Unui Oras-Uzina," *Munca*, February 4, 1988).

The data varied from locale to locale. Hence, the director of health for Bucuresti, in reviewing medical performance for 1986, pointed to the inadequacies of health-medical worker performance in the

domain of demography:

...We did not succeed in achieving the established demographic indicators [for Bucuresti]....This reflects the weak commitment of health-medical cadre, a raised quota of formalism, aspects which are thoroughly impermissible and which must be analyzed with full severity. Although the number of abortions was 23% less in 1986 than in 1985, we cannot consider this satisfactory: The incidence of abortion in such high proportions demonstrates that the organizational measures [to control abortions] were not applied resolutely....This year, we are firmly resolved to make all efforts [to fulfill the plan]...in this realm of activity that has deep significance with respect to certain duties of great significance for us, for problems of...professional conscience.<sup>89</sup>

Such statements sent shivers throughout the medical cadre because they indicated that certain

heads were likely to roll. (Again, recall that statistics were used for political purposes.) The style of the language used was also self-protective for the director. Being firmly resolved meant that he would take an active role in scrutinizing the actions of those beneath him in order to save his own position.

Despite the consequences for nonconformity with the law, many doctors—of all ranks in the Party hierarchy (most doctors being Party members)—became adept at manipulating both the official rhetoric and statistics. Strikingly, most people I queried (an admittedly arbitrary sample) offered praise for the attempts doctors made to assist women and families during these harsh years. Many doctors tried to “hide” a woman’s pregnancy if she indicated she, or she and her husband, did not want the child.<sup>90</sup> As one doctor remarked: “If a woman adamantly was against having a child, there was nothing you could do about it. She would risk dying rather than bear the child. So we tried to help.” Various ailments such as measles, recurrent fevers, hepatitis, tuberculosis, syphilis, malignant tumors, or diabetes, qualified a woman for a legal abortion. Doctors took advantage of this as much as possible. Similarly, if a woman was taking certain medications that are counter-indicated for pregnant women (e.g. chemotherapy, antimalarial drugs, anticonvulsants), then her treatment for something else would be used as the excuse for an abortion. Given the extreme lack of availability of medications in Romania, this “excuse” was not easily manufactured. Nonetheless, whenever possible, most doctors seemed to have done what they could to accommodate a woman’s “choice.”

Humanitarian concern posed different sorts of problems for physicians. What was the proper course of action when a woman arrived at a hospital, hemorrhaging from a self-induced abortion? The doctor was simultaneously confronted by his/her conscience that may have reminded him/her that an oath had been taken to save lives, on the one hand, and, on the other, that the state legislated the legal parameters of medical practice. As noted previously, by law, the prosecutor’s office had to be notified, and informed of the condition (within twenty-four hours if an emergency procedure had been done). Hence, notifying the prosecutor’s office theoretically alerted that office to a case in which a doctor

could be held liable. A set of complex factors then entered into what happened. If the prosecutor did not respond, a woman could die and enough did; in other cases, the doctor was less "legally" diligent, and tried to save the woman's life, regardless of the consequences. In general, the system of complicity, fear and "corruption" functioned quite efficiently. One prominent obstetrician-gynecologist remarked that he had always operated within the law and tried to save women's lives. But what does operating "within the law" mean in these circumstances? If a woman died because the prosecutor's office did not respond, the doctor was legally correct. But what about the oath that is professionally self-defining? Again, this double-bind situation for gynecologists assured the perpetuation of Ceausescu's political-demographic policies, as well as resistance to them.

According to a document stamped "secret de serviciu" which circulated internally in the health ministry in 1988, the number of abortions had increased between 1979–88, with the exception of a decline in 1984–85.<sup>91</sup> This brief period reflected a similar adjustment to that which had occurred following the original 1966 anti-abortion law. Citizens needed time to learn to adapt to the intensified pronatalist campaign. Throughout the eighties the conditions of everyday life deteriorated dramatically: endless lines, little food, less heat and electricity. Families were unable to feed the mouths they had, yet were required to contend with laws designed to force them to have more children. In many cases, unwanted children were born—and abandoned to the care of the paternalist state that had demanded them. That "care" best known as systematic neglect<sup>92</sup> resulted in institutionalization of the innocent,<sup>93</sup> the rise of infant AIDS<sup>94</sup>, and international trafficking in babies and children through adoption. Abandoning a child was the consequence of despair combined with an internalized dependency on the state for the basics of life: the state generally controlled when and how much heat, water and light households and state institutions had for usage. Centralized production and distribution affected what families had to eat. (The rise of the second economy parallels that of illegal abortions; these were the means through which people managed their everyday lives.) Some mothers left their

infants in the hospital<sup>95</sup> ; others left them at orphanages, or in places where they were likely to be found. (I have not heard of infanticide as a common practice, although punitive statutes exist in the legal code e.g. Art. 177.) "Traditionally," peasant families unable to support another child would often ask a relative to raise one of them; others were adopted by childless couples. The material and psychological conditions that enabled parents to give up their children are comprehensible in these terms. During the Ceausescu years, some parents relied upon state institutions as a form of temporary residence for children, meaning that they would attempt to retrieve them at a later date when they were able to keep them at home. This "pawn shop" strategy often succeeded; in other cases, parents were unable to relocate their children. It was only after the fall of the regime that they—and the rest of the world—learned why.<sup>96</sup>

Women that did not comply with the pronatalist law resorted to illegal abortions. Those privileged with connections and the means benefitted from bribing medical practitioners. Those without sought the assistance of less qualified abortionists, or drew upon the varied remedies that abortion lore and popular practice offered them. Self-induced abortions often meant that many mothers ended up on death's doorstep as a result. Among them were those already the mothers of three or four children but unable to deal with yet another cold, hungry child; too frequently, these children were left motherless. Indeed, when the state punished physicians who for humanistic and/or economic reasons performed illegal abortions, the increase in maternal deaths or deformities due to nonmedically performed abortions was (and is) assured.<sup>97</sup> Between 1965 and 1989, 9452 women died because of complications arising from illegal abortions. As Mezei notes:

The liberation of abortion in January 1990 proves yet again the positive dependent relation between de-legalization of abortion and the rise of maternal mortality rates. If, following the chronology of events, 1989 represents the year with the most elevated maternal mortality figures [545]"for 1990, 181 cases of maternal deaths due to illegal abortions were registered, real values that had not been seen since 1968" (See Mezei 1991, p. 4)

The population of orphaned or abandoned children necessarily increased. (For 1989, the

number of children left orphaned because of illegal abortions was reported to be 1193; the recorded total between 1981–1989 was 8004 children. See Mezei 1991, p. 8.) So great were the traumas associated with the pronatalist policies that months after the legalization of abortion, the Ministry of Health still received files of mothers who had died as a result of illegal abortions; some of these were mothers of five children who would have been eligible for legal abortions even during the Ceausescu regime.

The heartbreaking and chilling irony of Ceausescu's pronatalist policies was that illegal abortion became the predominant contraceptive method. According to Ministry of Health statistics, the greatest number of abortions—60.1%—were "incomplete abortions" recorded upon the arrival of a woman at the hospital for emergency treatment.<sup>98</sup> The decision to abort (made by the woman alone, or with her husband's consent) was a rational decision<sup>99</sup> based on the real conditions of daily life. Insensitive to the realities of the lived experiences of most Romanian citizens, the regime focused attention on formalist interpretations in all domains of everyday productive—and reproductive—life. A stringent pronatalist policy bolstered by a series of coercive legal measures was enforced simultaneously as data on the rise of infant AIDS was suppressed, and as the recording of births was delayed so infant mortality statistics would not become overly inflated. The consequences of legislating reproduction without regard for the material conditions of daily life meant that many women, unable to fulfill their "patriotic duties" and "noble mission" in life, gave up their lives—and, frequently, those of their children, in the service of the state.<sup>100</sup>

### **III. The Politics of Reproduction in Post-Ceausescu Romania**

With the fall of the Ceausescu regime, Romania joined the "East European Transition." Two years later, the complexities and traumas associated with the transition are becoming more apparent as some East Europeans balk at yet more economic hardship, rising unemployment and inflation, increasing social differentiation and increasing impoverishment for certain segments of society.

Explosive ethnic and nationalist tensions reverberate throughout the region. The transition has also bolstered a movement toward what may be called "re-traditionalization," a return to traditional values, family life and religion (Kligman 1991). For women, this may mean that their roles in society are being redefined; women's place is again to be in the home. While many find this attractive, economic necessity does not necessarily make it possible for women to exit from the wage labor force.<sup>101</sup> In addition to economic insecurity provoked by the transition, women's participation in the polity has been threatened, as have the existence of social assistance provisions for women, children and families, and the right to personal choice regarding women's reproductive lives (Fuszara 1991; Rosenberg 1991; Szalai 1991; Wolchik forthcoming).

With respect to this latter point, to what in the west is considered "choice," the legislating of reproduction in post-Ceausescu Romania differs significantly from trends elsewhere, notably in "democratizing" Eastern Europe. In this final section, I will review developments pertaining to the politics of reproduction in post-Ceausescu Romania through 1991. As Romanians have embarked on an uncertain path toward "recovery" in all domains of their lives, these developments underscore the complexities of the overwhelming jubilation and chaos unleashed by the violent end of the former regime (Verdery and Kligman 1991). The constitution of democratic practices and a free market economy are goals to which most aspire. How to achieve them is hotly contested. The conceptualization of citizenship, as well as the codification of legal rights and mutual obligations between the state and its citizens, are fundamental to understanding what "democracy" and "civil society" mean in everyday life—as well as who will benefit from their institutionalization. (See Kligman 1991; Hauser 1991; Huseby-Darvas 1991; Gal 1991).

The relationship of the polity to its more vulnerable members—minorities, women and children—is revealing about the character of the body politic.<sup>102</sup> In the tumultuous first year and one half after the fall of the Ceausescu regime, the laws and policies affecting reproduction, broadly

understood, reflected that general tumult. Abortion was legal, but production and distribution of, as well as education about, contraceptives were limited. AIDS-related matters were addressed haphazardly. International adoption of orphans developed into private traffic in babies and children. But as time passed and public crises acquired familiarity, the government began to formalize procedures meant to recognize and protect the rights of individuals in society. The adoption law signed in July 1991 was one such measure.<sup>103</sup>

This draws attention to another critical feature of the transition, little remarked by most economists and political scientists engaged in crafting this process. The transition also involves intense struggles over the formation of legitimating discourses that help to shape identities. (See Verdery, 1991a.) In post-socialist Eastern Europe, there has been a general discursive shift from one about collectivity and homogenization to one about individualism and human rights. Gender, like ethnicity and race, has become marked. Women's reproductive lives are no longer beholden to political demographic policies that turn women into human machines which reproduce future workers. Instead, a different "moral" rhetoric informs debates about women's reproductive obligations; women's reproductive capacities are "essentialized," meaning that they are taken to be God-given, ordained by natural law. (The Catholic Church is at the forefront of these movements.) While the effects of instrumentalization or essentialization may be the same, that is, women must bear children, the discursive nuance is suggestive of the means by which states create and value political constituencies and citizens' identities.

For Romanian women, the fall of the regime embodied "freedom" from the coercion of a paternalist state. However, women elsewhere in Eastern Europe have not experienced the collapse of communism as necessarily synonymous with the granting of democratic rights. For many (although surely not all), the relationship between national liberation and "women's liberation" is seemingly an inverse one. Restrictive reproductive legislation is on the political agenda throughout Eastern Europe,

with the notable—and understandable—exception of Romania.<sup>104</sup> Ceausescu's Romania offers a stark case study about the consequences of de-legalizing abortion, for example, in the context of economic hardship, inadequate or nonexistent contraceptive alternatives, lack of childcare facilities, etc. These consequences are specific neither to "communism" nor "Ceausescu-ism." The comparative implications should be considered accordingly—in the "transitioning" former socialist states—and in the "democratic" west.<sup>105</sup>

**A: Liberating Bodies: Abortion, AIDS, International Adoption**

The "revolution" of December 1989 liberated most women's bodies from the grip of the centralized state.<sup>106</sup> The day after the execution of the Ceausescus, abortion became fully legal in Romania. Legalization simultaneously made abortion the preferred contraceptive method, other means being generally unavailable on the "market."<sup>107</sup> Urban and rural women alike expressed gratitude for the legalization of abortion. The fear of becoming pregnant had dramatically colored the sexual lives of women (especially) in Romania, married or not. This fear exaggerated the basic "culture of fear" that had pervaded everyday life. The right to abortion granted women in Romania basic, if minimal, control over their lives again. Abortion, in this context, was understood as a fundamental aspect of the right to self-determination being articulated by republics and/or nationalities demanding their independence and rights to self-determination, as well as by ethnic groups clamoring for recognition and respect. Abortion was assumed to be an essential ingredient of democratic practice.

In consequence of legalization, by the summer of 1990, the principal hospitals in Bucharest were each reporting 70–100 abortions performed daily. This rate seemed potentially problematic for women's health, and future demographic trends.<sup>108</sup> However, health officials and physicians (personal communications) pointed out that the legalization of abortion had quickly alleviated one of the problems from the past;<sup>109</sup> they also suggested that there were more urgent concerns than these. Daunting questions about priorities were posed: how should priorities be determined when the country is in total disorder? Who would finance the development and distribution of contraceptives? Or fund



## AIDS research, treatment and education?

By summer 1991, the skyrocketing number of abortions made attention to these issues imperative. The abortion to live birth rate was reported at 3 to 1.<sup>110</sup> (At the same time, the marked decrease in maternal mortality recorded for 1990 continued. The birthrate also declined.)<sup>111</sup> Doctors at one of the largest maternity wards in Bucharest stated that they had performed as many as three abortions for the same woman during the course of the year. In response to this situation, the government began to address the need for family planning and sex education. Several nongovernmental associations established soon after the "revolution" had already become active, although with very limited means at their disposal. Notable among these groups is SECS, the Society for Contraceptive and Sexual Education.<sup>112</sup> Nongovernmental groups (NGOs) hope[d] to maintain their politically independent identities. However, in the heightened political atmosphere of everyday life in Romania, this has not been easy. One of the primary tasks for health workers is to educate the population. In that television remains essentially state controlled, and the majority of newspapers are linked to political agendas, access to and use of the mass media for educational purposes is fraught with problems that may inadvertently subordinate health issues to political struggles. NGO workers have expressed concern that governmental institutions will coopt their efforts. At present, both governmental and nongovernmental organizations are dependent on international assistance, financial and instructional. As many of the doctors with whom I spoke noted, it is difficult for them to train specialists in family planning, when they themselves are not trained.<sup>113</sup> Obviously, in view of the former policies, physicians and others lacked access to such methods.

Furthermore, years of propaganda against the use of contraceptives must be combated. Thus far, the Ministry of Education—unlike the Ministry of Health—has not been overly receptive to governmental or nongovernmental proposals to introduce health and sex education into the high school curriculum. There is more interest at the university level, although there has been no systematic

development of workshops, clinics, etc. The state-controlled media have also been reticent to engage in these issues vital to the nation's health. Some have expressed an attitude well known elsewhere: talking about sexual behavior encourages students to become sexually active; hence, it is better to deny them knowledge about sexuality. Abortion then remains an option for those that become pregnant.

As to AIDS, a similar mentality exists: ignore or deny its importance. There are still physicians who insist that AIDS is not a real problem in their country, claiming that the epidemic among children is containable to that population.<sup>114</sup> One doctor concerned about the poor state of public health in Romania pointed out: "Here, people do not have respect for their own bodies..." He attributed much of this to the destructive effects, understood in their totality, of the former regime. The increasing number of reported AIDS cases is causing the Ministry of Health to begin to pay attention, as witnessed by a recent conference in Romania. Thus far, 1557 cases of AIDS have been recorded.<sup>115</sup> AIDS is likely to be on the rise due to poor hygienic conditions in the hospitals, increased drug traffic and usage, as well as increased prostitution without "safe sex" practices. With respect to prostitutes, married women with children often "work" with the full consent of their husbands.<sup>116</sup> Prostitution serves as a means by which these families can obtain hard currency and increase their cash flow.

Without a concerted campaign to educate the population (including medical practitioners), some physicians fear that women's health, in particular, will continue to be at risk. Again, women in Romania are grateful for ready access to abortions. Most of the women factory workers I interviewed informally in 1990 often mentioned that their husbands would object to the usage of other contraceptives even if they were available. However, contraceptives are not readily available; distribution is erratic. Contraceptives are supposedly more obtainable now—from tobacco shops, pharmacies, and hospital clinics. Yet, as several young gynecologists remarked, "People associate hospitals with illness. They will not come to the hospital to get contraceptives. It's impractical!" (This

also points to the problems of the "medicalization" of family planning. See Hord et. al, 1991, pp. 237-38.) Generally, educational level is related to contraceptive usage. For the immediate future, abortion will remain the primary method. Women of all ages wait their turns in endless lines, abortions being done in factory-like production conditions.

In an attempt to discourage women from having abortions, the hospital price has been raised from 30 to 500 lei, the latter having been about \$2.50 on the black market in the summer, 1991.<sup>117</sup> Obstetrician-gynecologists expressed concern that raising the price would encourage poor women to seek cheaper abortions done by nonmedically qualified persons, thereby repeating the problems of the past. Well-to-do women are already going to doctors in private practice. Prices are significantly higher, in exchange for privacy, personal attention, and more sterile conditions. At the same time, these same physicians emphasized that the current situation has to be changed; raising the price of an abortion combined with contraceptive availability and a multifaceted educational campaign were considered necessary. Unfortunately, it is easier to adjust prices upwards than to introduce family planning and sex education, and to assure the production and distribution of contraceptives. This means that women's health, especially among the poor and less educated, remains particularly vulnerable to public interests.<sup>118</sup>

The vulnerability of women and children has also emerged in another context that is only partially the direct result of Ceausescu's pronatalist policies: the international adoption of Romanian children.<sup>119</sup> During the later years of the regime, Ceausescu authorized limited foreign adoption of Romanian babies—for hard currency. This little publicized practice was another facet of the "commerce in human flesh" which usually enabled Jews and Germans to be "bought" out of Romania. (Hungarians wanting to emigrate to Hungary were not so fortunate, the forint not having been convertible therefore "hard" currency.) Children for adoption began to figure among Romania's exportable goods, in direct contradiction to the stated ideological goals of the pronatalist policies.<sup>120</sup>

When the regime fell, and the plight of Romania's orphans surfaced, international humanitarian efforts moved in to help<sup>121</sup>. Many institutions and individuals have contributed greatly to the alleviation of the pain of these hapless children. As it became known that not all of the children incarcerated in these living hells were "irrecoverable" or were the victims of the infant AIDS epidemic, foreigners journeyed to Romania with hopes of adopting children and offering them life itself. In the initial aftermath of the Romanian "revolution," many Europeans (especially French and Belgians who had already reacted with outrage to media reports about the village systematization plans by creating goodwill ties with villages in Romania) traveled to Romania. Seemingly caught up in the high spirits of postrevolutionary fervor, they adopted children, joyously participating in this small way in the "return to Europe" that was the hope of the day.<sup>122</sup>

As the word spread among the international community of persons and/or couples wanting to adopt, Romania became the adoption hot spot. To illustrate, according to American Embassy figures, Americans had adopted 1,451 Romanian children as of June 11, 1991, compared against 480 in 1990. (The 1991 figure also reflects the booming business in privately arranged adoptions. INS reported figures of 2, 287 Romanian children adopted by Americans as of September 4, 1991.)<sup>123</sup> In a report about foreign adoptions of Romanian children coauthored by international experts, it was projected that at least one third of all international adoptions in one year's time would be children from Romania. (Annual international adoption figures range between 18,000–22,000.)<sup>124</sup> In early 1990, to deal with the growing number of adoptions, the Romanian government formed the National Adoption Commission. Among its tasks was coordination of data about available institutionalized children. However, lack of an adequate staff and a computerized information system led to bureaucratic inefficiency. Inadvertently, rather than facilitating the adoption process, creation of the commission encouraged expansion of the private market in adoptions, or "baby trading."

Gradually, as the channels through which children were obtained changed, the emotional

rhetoric about the humanitarian rescue of children from abysmal conditions in the orphanages lost its force. In its stead, a more generalized rhetoric emerged about saving children from the difficult living conditions in Romania, and giving them the opportunity for a better life in the West. Prior to the July 1991 passage of the law designed to stop private adoptions, most children no longer came from the orphanages, but were acquired via private connections, a fact usually overlooked in the numerous media accounts about the baby trade in Romania. According to U.S. Consular representatives, most of these children have been gypsies, or "Roma." Though they are notably dark skinned by Romanian criteria, westerners do not generally consider them to be markedly different in appearance. Indeed, it is believed that Romanian children, including gypsies, are popular in western adoption circles because they are Caucasian. Given that prejudice against the gypsies is unlikely to be erased in the near future in Romania, adoption is thought to provide a humanitarian road out for some of these children whose chances at productive lives would otherwise be slim. Many Romanians view the exodus of adopted gypsy children as a legitimate means to rid the country of them at the expense of foreigners;<sup>125</sup> there are others who resent the squandering of western altruism and resources on gypsies.

Opting for the private adoption process was faster than going through official bureaucratic procedures; it was also more expensive, very arbitrary, and subject to unsavory practices of coercion, corruption<sup>126</sup> and foreign complicity with these acts. As one Romanian official put it:

The child is the object of a traffic in money and goods...in which Romanian citizens as well as foreigners participate, whether we are talking about the natal and/or adoptive families, or intermediaries...It's as though potatoes are being sold at the market!

The victims of this process have not only been, as often implied in western media coverage, foreign adoptive parents but rather, poor and/or single Romanian mothers, many of whom are gypsies. Poor women are especially vulnerable to the demands of others, some of whom consider their bearing of children to be little more than the means of production that yields a valuable commodity; others assume that by adopting a child—any child—from Romania, they are truly "rescuing a child."

Consequently, in some cases, private adoptions have contributed to the exploitation of women's reproductive labor. Responses to an American Embassy questionnaire for the month of June 1991 indicated that 39 of the children being adopted were living at a private home at the time of adoption; 15 were in a hospital, and 13 in an orphanage.<sup>127</sup> Here it must be underlined that the definition of a child eligible for adoption has been fraught with ambiguity. When both parents are alive, and/or the child is in their care, it must be determined that they are unable or categorically unwilling to care for the child. They must sign affidavits formally giving up claims to the child. Not surprisingly, visa problems (before July 1991) arose more frequently in cases in which a child's orphan status was questionable. (An orphan is more narrowly defined by U.S. Immigration law than by Romanian law, another factor contributing to the ambiguities about problematic cases.) Questionable cases were referred to the Immigration and Naturalization Service for investigation. However, even if I.N.S. ruled against the granting of a visa because a child was not legally adoptable, the Consulate might have granted one by utilizing a special clause known as "humanitarian parole." This option, although not specifically for adoption, is widely used in these situations, enabling parents to circumvent I.N.S. decisions to bring these children "home" for humanitarian reasons. Irate adoptive parents, invoking their right to get their Congress person on the case, have been as much to blame as anyone else for the moral compromises such decisions often required, understood in terms of "humanitarian interests." "In a sense, we exploit the horror of the past; no one can play God—but we do!" commented a representative of a U.S. agency working on related problems.

Children adopted from the orphanages have been the least problematic from a bureaucratic standpoint.<sup>128</sup> Children taken from hospitals tended to be newborns. Some believe that adopting newborns lessens the potential difficulties associated with bonding between natal mothers and their offspring. While efficient, the ethics of adoptions arranged in this manner are highly questionable. The typical transaction involved a network of doctors or nurses connected to lawyers who had clients

wanting infants. Young single mothers or gypsy women with many children were most often approached just prior to or after delivery. They were offered varying sums of money in hard currency or Romanian lei if they would relinquish their claims to the newborn. For some mothers without the means or the will to support a child—and there are surely enough of them, this solved the problem of having to care for unwanted infants. But for others, their signatures were effectively forced.<sup>129</sup> I do not mean to suggest that no women gave up their children freely. I do, however, wish to emphasize that many did so against their wills. Wife-beating is still common enough, and culturally accepted, in Romania. Remarried women with children from a first marriage (and another man) were frequently compelled to give them up for adoption. Or, as one reporter wrote: "The young mother, deserted by her lover, was barred from returning to her father's house until she gave up the baby."<sup>130</sup> Husbands, brothers and parents found compensation for their public shame in the money so readily obtained. With it, they purchased refrigerators, video recorders, and the like, or finished building and/or furnishing the rooms of their homes. Given the sharp rise in prices in Romania, increasing unemployment, and depressed wages, it is not difficult to explain why people have been tempted to sell their, as well as other peoples', children. Dealing in babies is a lucrative business for intermediaries, bureaucrats and lawyers who may be bribed to falsify papers, hurry the process, etc.

Hence, for all of the legitimate adoptions/sales, there were those that simply were not.<sup>131</sup> Coercion of Romanian mothers happened in various ways.<sup>132</sup> Many adoptive parents considered themselves to be at the mercy of "entrepreneurs." As the author of one of the many articles written by Westerners about their experiences in adopting Romanian children wrote, quoting another adoptive parent:

What can we do? said one Irishman out of earshot of the rest. They know their way about, they have the contacts, they get the job done. They're not buying children or coercing anyone; none of us would care for that at all (L. O'Hanlon 1991, p. 8).

By law, a mother has fifteen days in which to change her mind about consenting to the adoption

of her child. In cases in which a mother had a change of heart (or conscience), her decision was not necessarily accepted graciously by the foreigner(s) or their negotiators, regardless of the law. One Romanian woman was threatened by the translator that she would be responsible for the costs, emotional and financial, accrued during the stay of the American adoptive parents (personal communication from an official investigator of this case). Blackmail is a form of coercion. To be sure, no Romanian could conceivably cover such expenses. Whether the Americans knew of the translator's methods is not known. That the translator had much to lose if the adoption fell through is, however, known, as is the fact that the American woman intended to appeal to her Congressman. Most adoptive parents in such situations (resulting from private, rather than institutional arrangements) chose not to know about possible coercion, even though they may have intuited that something was amiss. In view of the language barrier, lack of knowledge was easy to rationalize.<sup>133</sup> To have allowed themselves to know meant that they would have had to succumb to their own emotional pain at the loss of a child with whom they may already have bonded. It was (and is) easier to believe, whatever the temporary experience, that adoption was simply for the good of the child who would thereby escape from the hardships of Romania.

Officials at the American Consulate, representatives of the Immigration and Naturalization Services, professionals working at orphanages and at the Adoption Commission had all heard stories involving varying forms and degrees of coercion. Few doubted the veracity of these tales.<sup>134</sup> Nevertheless, in a country in which rumor often acquired the status of truth, I decided to do a bit of fieldwork. An Embassy employee gave me the name of a village from which there had been quite a few adoptions, and from which there had also been problematic cases. Accompanied by a Romanian sociologist, we arranged for someone to drive us to it.

There, we were eventually directed to a woman whose daughter had given up several of her children for adoption. An attractive mother of seven, herself half gypsy, she looked much older than



her forty-five years of age. After chatting for a while, she offered to take us to her daughter's house. Turning onto a bumpy dirt road, we drove along the edge of a field, and finally stopped outside a rickety fence. The house was a two room hut. We entered into a room whose walls, floor and ceiling are of dirt. (I wondered to myself what it must be like to reside there in the winter when it snows.) The room was sparsely furnished making the large radio-cassette player all the more noticeable. We were greeted by a 21 year old gypsy woman pregnant with her fourth child, surrounded by two of her own and a nephew. She had already "given up" two of her children for adoption by foreigners. The three year old had been returned after her medical exam revealed that she suffered from hepatitis B. (They had been paid 80,000 lei or, then, approximately \$400; the Belgian couple did not ask for the money back.) The one and a half year old was en route to the United States. This child was the source of the family's current windfall: the radio-cassette player, 200,000 lei and clothing were the "child price." With the money, they had finished the other room of the house, making it into a "proper" room: wood planks on the floors, plastered and painted walls, etc. We were invited into this "company" room. My colleague, less interested than I, went outside.

The pregnant woman's mother who had taken us to her burst into tears, causing her daughter to cry also. The older woman calmed herself enough to ask with fear in her eyes and voice: "Is it true that you [foreigners] take our children to use their body parts?" I assured her that was not the case, although I knew this was a rumor circulating in Romania, as it has elsewhere in the world.<sup>135</sup> "What will you do with my daughter's child?" to which I responded that I did not want her daughter's child, although I did want to know why she was crying so woefully. Through her sobs, she told a tale that pained me to hear, but which I knew was a common experience of many young women these days: "I didn't want to give up my other child, nor this one. But he [her husband] made me." Her mother volunteered: "He's no good. He's mean; he drinks and then he beats her," a remark which provoked convulsive crying on the part of her daughter. She continued, "What can I do? He beats me when I say

no. He will hurt my belly, so what can I do?! I am only 21. Please help me! I can have ten more children. I don't want to have any more. For what? I can't stand it!" Her mother reiterated her daughter's plea, emphasizing her daughter's reproductive years that lay ahead.<sup>136</sup> I responded by talking with them about contraceptives, and where to obtain them.<sup>137</sup>

I then took my leave. Outside, my colleague was waiting, talking with the driver and two other gypsies. One was a young man of 19; another, an older woman. I was immediately offered a four-day-old boy! The mother and child were still in the hospital: 240,000 lei, a cassette, etc..."And is your wife in agreement?" I lamely asked. "Oh, she will be." I had little reason to doubt him.

**B: Protecting Citizens' Rights**

On July 16, 1991, President Iliescu signed the new adoption law meant to stop the Romanian baby trade; adoption would henceforth be done through institutional channels, thereby removing the private profit motives of all involved.<sup>138</sup> Among the law's provisions is the necessary institutionalization of orphaned children. This is meant to prevent the sale of children, and to determine the legal status of children as orphans. (Children must literally be orphaned or abandoned; if they are under the care of a parent, then they are not legally adoptable.) Children must reside in an orphanage for six months, during which time the natal parents may change their minds, or adoptive parents may be found among Romanian citizens. Only thereafter are foreigners legally able to adopt Romanian children.<sup>139</sup>

The adoption law should be applauded for its attempt to apply the "rule of law" operative elsewhere in Europe. The politics of reproduction in Romania is now different than it was during the Ceausescu period. Under Ceausescu's rule, the masses were forced to reproduce in the service of the state. Women's reproductive lives and human rights were blatantly exploited. Today, as Romania struggles with the "transition" and as Romanian society becomes more clearly class differentiated, those who are most vulnerable —poor and/or single women, have often been forced to reproduce in the service of market demands. The adoption law will help to diminish one source of abuse suffered by

those women coerced into giving up their children.<sup>140</sup>

Moreover, this law marks an important step toward the recognition and protection of citizens' rights, especially those of women and children. The political demographic policies of the Ceausescu regime contributed significantly to the processes of social atomization and dehumanization that remain a tragic legacy of the Ceausescu regime. Women's bodies were glorified as the machines which produced—through their reproductive capacities—the future workers of the state. Celebrated in public political rhetoric, women were overwhelmed by the exigencies of daily life. Their identities as workers and mothers were ideologically dictated, but the conditions of everyday life did not make such identities attractive.<sup>141</sup> The institutionalized violence of the state against its citizens resulted in the denial of women's rights in particular. The intrusion of the state into the intimacy of its citizens' bodies is a form of violence. As detailed in this report, the state's violence against its citizens was bolstered by a web of interdependent practices that engaged most people in the prescribed practices of the state: i.e. doctors were expected to perform gynecological exams, persons "of age" without children were taxed, those who had had an abortion were manipulated in the interest of making them into police informants, etc. Men and women's sexual relations were intimately affected, at great psychological cost to the population (See Puia and Hirtopescu 1990.) Fertility control, by women as well as families, was proclaimed to be the right of the state, not of women or families. The loss of life (for women and children) due to illegal abortions was evidence of societal despair, and increasing dehumanization. The abandonment of children to the "care" of the paternalist state's orphanages was yet another indicator of the extremely deteriorated conditions of everyday life that made the upbringing of children next to impossible for most citizens of Romania.

Since the fall of the Ceausescu regime, the Romanian government has embraced measures that suggest at least a minimal recognition of the fundamental significance of respecting citizens' rights. To be sure, these measures have been noticeably inadequate, particularly in the realm of ethnic rights. Nonetheless, in the midst of traumatic change, there has been some movement to redress certain of the

dehumanizing policies of the past. Hence, the legalization of abortion in 1990 may be considered as a necessary response to a dramatic situation fostered by the stringent political demographic policies. At the same time, it must be emphasized that the legalization of abortion was not part of a policy decision made with socioeconomic and demographic aims, or long-term trends, in mind. The formation of the National Adoption Commission was similarly a practical response to circumstances, in that case, to the growing number of foreign adoptive parents. While the institutionalization of adoption procedures at that time may have been well intentioned, it was not carefully planned, and inadvertently contributed to the expansion of the private adoption market. Indeed, the systemic and societal confusion generated by the fall of the Ceausescu regime did not initially lead to effective policy formulation in the realm of family-related issues. This period may be delineated as the first phase of policy formulation, which, in actuality, was a phase characterized by the lack of effective policy formulation and implementation.

By 1991, life in Romania had gradually acquired a more routinized rhythm; the government began to function somewhat more smoothly (See Verdery and Kligman 1992). The Ministries of Health, Labor, and Education each turned to the details of restructuring; what may be viewed as the second phase of policy making began. (I have singled out these ministries because of their prominence in the concerns herein addressed: reproduction, health and welfare.) Foreign agencies and individuals continued to offer needed and welcome assistance, particularly with respect to scientific exchange about AIDS (testing, research, education) and problems related to the orphanages. Diverse specialists came to train Romanians to care for the handicapped, and to teach Romanian health professionals about family planning. All of these efforts, combined with passage of the adoption law, have pointed to a growing recognition that the state must participate responsibly in the protection of its citizens' rights and well-being.

#### **C: The Politics of Reproduction: What Is To Be Done?**

Romania's experience in the realm of reproductive health can guide policymakers, health system administrators, and reproductive health professionals throughout the world....

At a time when reproductive rights are increasingly threatened by conservative forces throughout central and eastern Europe and other parts of the world, the tragic elements of Romania's reproductive health experience under Ceausescu and the country's struggle to reverse that grim legacy can serve as a guide for health care professionals everywhere.

Hord et al. 1991, pp. 238-39.

Living within the truth, as humanity's revolt against an enforced position, is, on the contrary, an attempt to regain control over one's own sense of responsibility.

Vaclav Havel, "The Power of the Powerless," p. 62.

To reiterate, restrictive reproductive legislation is on the political agenda throughout Eastern Europe, with the notable—and understandable—exception of Romania.<sup>142</sup> Similar legislation is being considered and contested in the United States, as well as elsewhere. Here, I wish to stress that the Romanian case *must not* be categorized as specific to the evils of the Ceausescu regime or of communism. As I noted at the beginning of my report, this study enables us to focus on the social implications and human costs of restrictive reproductive legislation and policies, especially as these impact on the lives of women and children. When reproductive legislation and policies are formulated according to abstract ideological or theological principles rather than in consideration of actual socioeconomic factors which affect the quality of human life and, relatedly, fertility control by women and/or families, then the lived consequences are too often tragic, particularly for women and children. The effects of banning abortion transcend political and/or religious interests. When abortion is criminalized, women resort to illegal abortions; that is a comparative as well as historical fact. Banning abortion does not stop women from having them; it simply makes abortion "invisible."

Ceausescu's Romania offers a glaring case study about the unintended effects of prohibiting abortion in a context of economic hardship, deprivation, inadequate or nonexistent contraceptive alternatives, lack of childcare facilities, etc. In Ceausescu's Romania, the consequences of making abortion illegal and denying women, and/or families, the right to control their fertility choices, resulted in the highest maternal mortality rates in Europe, among the highest infant mortality rates, an infant AIDS epidemic, and institutionalization of the innocent, that is, children left or abandoned as orphans. The end result was social atomization of Romanian society, and dehumanization of Romania's populace.

Again, these consequences are neither fully specific to "communism" nor "Ceausescu-ism." The comparative implications should be considered accordingly—in the "transitioning" former socialist states—and in the "democratic" west.<sup>143</sup>

Absolutist approaches<sup>144</sup> to the legislating of abortion transform the experienced realities of everyday life into abstractions. Whether political ideology (as was the case in Romania) or theological tenets and religious principles serve to legitimate the de-legalization of abortion, the consequences in lived terms are detrimental to health, liberty, and the pursuit of "quality of life" for real human beings. Absolutist positions transform the value of "life" into an abstraction: life is simply a material to be maximized (for reproduction of the labor force, for the will of God, etc.), regardless of experienced everyday realities. From ideological or theological perspectives, there is nothing sacred about life *other than* its being.<sup>145</sup> "Meaningful lives" become meaningless in these terms, the prerogatives of the privileged.

Accordingly, it is poor women who generally bear the brunt of the criminalization of abortion. Prohibiting abortion—as *has always been the case*—forces abortion underground, and makes abortion the privilege of the wealthy, while further disenfranchising the poor. As Petc.hesky noted:

The main feature of the days of illegality was not the absence of abortions but their invisibility. Abortions—hundreds of thousands of them a year—were performed in a class-divided system that relegated poor women to the sordid conditions of back-alley abortionists, while rich and middle-class women usually had access to safe, sanitary abortions in hospitals and physicians' offices. (Petc.hesky, *Abortion and Women's Choice*, p. 156.)

For poor women, illegal abortions are typically done by unqualified practitioners—the woman herself, back-room abortionists, etc.—and result in the increase of maternal deaths, as well as maternal and/or fetal physical deformities. In Romania, the masses were poor. The tragic consequences have been detailed above. Or, in Brazil, where abortion is officially illegal:

400,000 women are admitted each year to recuperate from abortion attempts. Of these, hundreds die. In contrast, in the United States, about 10,000 women are admitted each year because of abortion complications.

(See J. Brooke, "Brazil Abortions: Illegal in Name Only" *New York Times International*, July 21,

1991, p. 5.) The contrast is meant to highlight that where abortion is legal, the number of cases resulting from complications due to illegal abortion attempts are radically reduced. "Complications from abortion are identified as the second largest cause for admission in state hospitals [in Brazil]—and yet society pretends it doesn't happen" (Brooke, *idem.*). Access to sanitary, legal abortion services has contributed to a marked drop in maternal morbidity in the United States. "Since 1973, 'abortion-related deaths have decreased by 73%'" (Petchesky, *ibid.*, 157). For poor women, legalized abortion has meant both a decrease in death, and an increase in reproductive health.

Criminalizing abortion in the United States *will not* stop abortions, just as prohibiting liquor did not stop its manufacture, distribution and consumption (indeed, to the contrary).<sup>146</sup> Nor will banning abortion recreate "the family;" banning abortion will, however, create an unenforceable policy whose unintended consequences will differentially hurt poor women, and create a culture of hidden pain and overt hypocrisy. Madison understood that the test of democracy lies in its treatment of its minorities, society's most vulnerable members, among whom figure women and children.<sup>147</sup> Here, it is important to underscore that poverty is not "racially" specific; white women and children are not spared its devastating effects.

The consequences of de-legalizing abortion have been starkly reviewed in this report. The Romanian case encourages us to rethink abortion-related policies in many areas of the world. Abortion is not an addiction, and should not be treated as such. Nor should it be a primary contraceptive method. The right to abortion must be legally protected. However, keeping abortion legal has attendant responsibilities. It is one thing to guarantee the right to abortion; it is another to assure that a diverse range of rights are thereby protected. For example, physicians must have the right to conscientious objection with respect to performing abortions, just as women must have the right to full information about abortions.<sup>148</sup> There must be forthright efforts to educate all citizens about contraception, and to (re)create the foundations of a political and cultural environment that encourage citizens to take responsibility for their lives, as well as for their fertility choices.<sup>149</sup> All states intrude

into the bodies of their citizens; state intervention is a reality of the modern world. A pronatalist culture, as well as pronatalist policies, need not be coercive nor restrictive of other social arrangements. Demanding that women bear children at all costs, as was the case in Romania, or legislating that they do, as may be the case here, are facile and misguided approaches to demographic concerns. Sheer numbers will not keep America strong, any more than they would have salvaged the Romanian economy and the "building of socialism."

Analysis of the political demographic policies of the Ceausescu regime, of which the criminalization of abortion was the legislative centerpiece, has underscored the unintended consequences that result from the effective banning of abortion conjoined with limited access to the resources that make everyday life livable. These consequences suggest that the Romanian case must be born in mind by those who would ban abortion in the United States. Otherwise, the American dream will become an American nightmare to which we will all bear witness, and for which we will all share responsibility.

Gail Kligman

\* For purposes of this report, I have standardized the spelling of Ceausescu, omitting the subscripted accent mark under the first "s" (i.e. Ceausescu).

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1. The 1966 anti-abortion law overturned the law that had legalized abortion and made it readily available. As will be seen, the strictest version of the anti-abortion law was introduced in 1985 and contributed directly to a national tragedy.

2. Note that, in this paper, I do not offer detailed references about all aspects of women and the state in Romania.



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3 Furthermore, for the 1974 World Population Conference in Bucharest, Ceausescu linked Romanian pronatalism to foreign policy: alignment with the Third World.

4 On Ceausescu's nationalist ideology, see K. Verdery, *National Ideology Under Socialism: Identity and Cultural Politics in Ceausescu's Romania*. Berkeley: University of California Press, 1991.

5 Homogenization applied to all aspects of societal organization. The diverse "judete" or administrative regions of Romania were also to be economically homogenized through "self-financing" policies, regardless of their different resources.

6 The homogenization of gender, race and/or ethnicity was another form of the Party State's managing of social death, that is, non-recognition of a person's identity. Denial of some one's legitimacy or identity meant that the individual was a non-productive member of society. In extreme forms, social death (which, for Party members, began with the public stripping of their Party cards,) led to imprisonment, execution, etc. This is significant with respect to the orphanages. Children evaluated as potentially non-functional members of society were removed from it. Within the terms of the ideological project, the treatment of orphans was consistent. There was no explicit eugenics program, but rather systematic neglect.

7 The most obvious others were foreigners. "Internal" others were dissidents, reformers, those who insisted on the legitimacy of their ethnic identities, or their human rights. Homogenization structured its others; within its stark terms, anything other than "sameness" was unacceptable. The extremity of such an organizing ideology partially explains what Ken Jowitt labeled a "movement of rage" that erupted as the "revolution" began to unfold. See Jowitt,

8 The youth organizations were: "șoimii patriei" (fatherland's falcons) for 3–6 year olds, set up by Ceausescu in 1976; "pionieri" (pioneers) for 9–14 year olds; Uniunea Tineretului Communist (UTC, union of communist youth), for those over age fourteen. These organizations were intended to create party activists through socialization.

On the principles and norms that ideally govern the life of "true" communists, I highly recommend: *Codul principiilor si normelor muncii si vietii comunistilor, ale eticii si echitatii socialiste* presented at the eleventh Congress of the R.C.P. This code of communist ethics was reprinted in *Scinteia*, December 20, 1974. I wish to thank Mihai Botez who urged me to read this, and Nestor Ratesh who provided it for me.

9 For example, factory workers competed with each other to be recognized for their production output levels. Wayda's film, "The Man of Marble," is, in part, a tribute to socialist competitions as realized by the ideal Stakhanovite worker.

10 Lefort (1986, 24) notes that the state represented itself as the "people as one...[that] forms a social body which is held together and sustained by a Power-as-One, a power which simultaneously embraces and stands for the whole." In Ceausescu's Romania, homogenization was the fulfillment of "wholeness."

11 Construing state/citizen relations in this manner is consistent with the language of family repeatedly invoked. The dependency of "children" upon the paternalist state underscores the nature of hierarchical, authoritarian relations, as well as the profound ambivalence thereby structured. Also, it is not surprising that private thought often became the last refuge of the self, as East European writers have so eloquently noted. See, for example, Milosz 1990, Havel 1985.

12 *Cântarea României*, the song of Romania, was the national cultural festival that epitomized the breath of the homogenization process in the cultural domain. "Art" broadly defined was the creative activity of the masses, thereby destroying the boundary between high art and popular culture.

13 The "multilateral developed socialist society" was first introduced by Ceausescu at the Ninth Party Congress in 1965; he began to "develop" this notion in 1969 after the Tenth Party Congress. For a brief summary, see Shafir 1985, part 1.

14 It is beyond the scope of this discussion to pursue this topic further. (See, for example, Sampson 1980; Turnock 1986.) However, it should be noted that the initial settlement plans of the early 1970s were applauded by western specialists as a reasonable development strategy. Also, the destruction of one-fifth of Bucuresti, the nation's capital, in the 80s to build the Boulevard of the Victory of Socialism, and the People's Palace, was part of this plan. These were not discrete projects, but together constituted a fundamental component of the homogenization project. That many of the several thousand villages targeted for demolition were Hungarian villages fueled a misguided furor about the plan's intent being the destruction of Hungarians, their culture. This was NOT the intent, although it would have been a consequence. The general destruction was of the peasantry.

15 It is worth recalling Ceausescu's peasant upbringing. By the 80s when this plan was to be enacted more vigorously, urban life was generally much harder than rural life. Villagers could rely on wood for heating purposes more readily than their city counterparts. They could also rely on their private plots for minimal subsistence production. If milk was to be obtained, it was more likely to be available through the village second economy than through urban networks, etc. The "amenities" of urban life were hardly desirable.

16 Models were designed for rural and urban construction by judete, or administrative region. These were produced in catalogues such as: *Catalog de Proiecte Directive cu Elemente Tipizate Conform Decretului nr. 216/1981 Pentru Locuințe cu P+1 si P+2 Etaje în Mediul Rural și Urban* (Catalogue of Directed Designs with Typical Elements Conforming to Decree...for Houses with a Ground Floor + 1...or +2 Floors in Rural and Urban Areas); *Catalog de Proiecte Unicat Reprezentative Pentru Construcții de Locuințe* (Catalogue of Representative Designs for the Construction of Habitable Buildings). These catalogues were organized by region, or by city and/or village. Nr. 10 of the first mentioned included plans for nineteen regions.

17 That appearance mattered more than substance is well-exemplified in the now infamous case of the apartment complexes lining the major roadway to the national airport. From the outside, one cannot guess that these were built without running water. Occupants were required to trek outside to use communal outhouses, and to haul water up several flights of stairs. Such conditions are hardly an improvement over unmodernized village ones.

18 "Alimentație științifică" provided height, weight and caloric intake information. This plan to systematize and homogenize the eating habits of all Romanians was met with customary cynicism, and despair. This "plan" appeared as food supplies were disappearing from markets and state shops. Many interpreted this as the regime's public rationalization for "food rationing."

Not all persons were averse to the idea of communal eating halls, etc. Migrant and day laborers were fed in dormitory eating halls; some community members also took their meals there, avoiding the problems that were created by having to prepare meals at home. Finding ingredients had become a major occupation. Some simply preferred the convenience, regardless of the quality or conditions.

19 Brusz's discussion about crude paternalism refers to the fifties in Hungary. "The 'political culture' of the period was omnipresent, it penetrated even the most private recesses of the citizens' life, and it was never satisfied with mere obedience, with fulfilling the tasks defined from above. In addition, it also demanded a day-to-day ritualistic profession of loyalty in which the citizen was simply compelled to participate" (pg. 50). The 50s in Hungary exemplified the 80s in Romania, although Ceausescu's crude paternalism was more akin to brute paternalism.

20 By "fully encompassing and controlling" I wish to signal the totality of the state's interests; it is beyond the scope of this paper to discuss, for example, the usage of "totalizing" as a critical modification of the more classic academic meanings of totalitarian.

21 Ceausescu was a great admirer of Stalin, which he stated openly, although off the record, to Kenneth Auchincloss of *Newsweek* during a lengthy interview in 1988. (I am grateful to Ken Auchincloss for allowing me to listen to the tapes of this interview.) The pronatalist policies followed in the Stalinist vein. See, for example, Lapidus 1984, # 7.

Regardless of how it was perceived, or how it represented itself, the Ceausescu regime was evidence of another weak socialist state. See Verdery 1991, pp. 83-87. If Gheorghiu-Dej had implemented many of Ceausescu's later policies, there may likely have been fewer "loopholes." As a Romanian colleague noted, when the western border was closed under Gheorghiu-Dej, "not even a cat would have escaped across it; the border, despite the culture of fear [that reigned under Ceausescu], had holes along it. Thousands of refugees—Hungarians and Romanians—left. That should be kept in mind."

Relatedly, the systematic neglect of orphans was not the result of an explicit eugenics program, but another example of the inadequacy of Ceausescu's grander visions.

22 Official discourse represented through the state-controlled media was understood by everyone, ideologues included, as signifying practice. This discourse referred to and called attention to issues that concerned the government, which is why people continued to read Party papers, or listen to important speeches: nuance indicated shifts in control, thus serving notice to be prepared. This is also why all citizens in socialist states "knew" how to read between the lines. Official discourse provided guidelines for unofficial behavior, delimiting what was most probably, although not certainly, possible.

23 The usage of bodily metaphors in political discourse helps to shape nationalist sentiments, for example, by creating metaphorical bonds between individuals. See B. Anderson 1983.

24 The official discourse of the Party-State was characterized by its particularly turgid style and structure. It has been aptly labeled "the wooden language." See Thom 1989. The vocabulary needed to read the "limba de lemn" was limited, lacking the richness of either the literary or popular languages; it was filled with formulaic expressions. As Ken Jowitt remarked jokingly, it was much easier to study political elites under the regime. All one needed to get by was what he called "Scînteia" language—that of the primary Party-controlled newspaper.

25 Verdery's definition of ideology is succinct and to the point (1991, 9): "It [ideology] means the systemically structured processes and the experienced social relations through which human subjectivities are constituted and through which humans act upon the world." I highly recommend the introductory chapter to all readers interested in the dynamics of the formerly existing socialist states.

26 It is worth noting that classically, socialism is meant to overcome scarcity in the material conditions of life, yet command economies have generally been characterized as "economies of scarcity."

27 The five-year plans had a life of their own.

28 In that official discourse bore little resemblance to experience, it is not surprising that rumor, unverifiable by definition, took on the semblance of truth. See Sampson 1984.

29 A typical example of passive participation in a "misrepresentation" of real conditions occurred when Ceausescu was scheduled to arrive somewhere. In advance of his arrival, otherwise empty stores would be stocked with otherwise unavailable goods which disappeared after his departure.

I wish to draw attention to the public act of interpretation in which the masses, including Party bureaucrats, dealt with formal, public political discourse. I distinguish this from the process of contestation that preceded final formulation of policies, plans etc. See Verdery 1991 on the latter.

30 Again, it is beyond the scope of this discussion to take up the issue of Ceausescu's knowledge of everyday conditions, or lack thereof. To be sure, there were many who had reason to contribute to the perpetuation of this system from which they benefited at the expense of so many others. Ceausescu repeated his fundamentalist reading of "data" throughout his summary trial, quoting various achievements such as the functioning of hospitals in rural areas, etc. Hospitals were built; that they had no medicine was irrelevant in the terms of such a reading in which ends rather than means are substantive.

31 *Digest of General Laws of Romania* 19. Editura Științifică și Enciclopedică, București, 1987, pg. 7. I have used the English translation of the Romanian laws published by the Romanians. When possible, I have cited such sources for the reader's convenience. The use of "his" training is a direct quote; the meaning, however, is more in the line of "one's."

32 The State's assumption of this responsibility constitutes its paternalist authority. The family viewed as a problematic institution was discussed with respect to the particular problems of the bourgeois family in capitalist formations. See, for example, V. Liciu, 1975, pp. 14–27. The emancipation of women under socialism was believed to lead to the democratization of family relations, thereby obviating the problems of the bourgeois family.

Protecting marriage meant that divorce was extremely difficult, entailing an arduous process over several years. See Albu, 1988, part III.

33 On marriage, see I. Albu, *Căsătoria în Dreptul Român*, 1988. The law signaled the socialist state's emphasis on equality and the distinction between marriage entered into freely, and arranged marriages, typically associated with peasant families under feudalism, early capitalism, etc. The importance here is on the formal discourse, not the practical realities.

34 On women and the state in Eastern Europe, see, for example: S. Wolchik and A. Meyer, eds.... *Women, State and Party in Eastern Europe*. Durham: Duke University Press, 1985 (On Romania, see the articles by Fischer, Nelson and Kligman.); or S. Wolchik, "Women and the State in Eastern Europe and the Soviet Union." In *Women, the State and Development*, edited by S. Charlton et. al. Albany: State University of New York Press, 1989. I cite these as representative texts. On women and Party participation in Romania, see, for example: M.E. Fischer, "Women in Romanian Politics: Elena Ceausescu, Pronatalism, and the Promotion of women" In S. Wolchik and A. Meyer, pp. 121–137; D. Nelson, "Women in Local Communist Politics in Romania and Poland," *ibid.*, pp. 152–67; and H. Pakula, "Elena Ceausescu: The Shaping of an Ogress" *Vanity Fair*, August 1990, pp. 120–25, 164–68. On production, see W. Moskoff, "Sex Discrimination, Commuting and the Role of Women in Romanian Development" *Slavic Review* 37(3): 440–56, 1978, "The Problem of the 'Double Burden' in Romania" *International Journal of Comparative Society* 23 (1–2): 79–88, 1982; and J. Nydon, *Public Policy and Private Fertility Behavior: The Case of Pronatalist Policy in Socialist Romania*. Dissertation, Department of Anthropology, University of Massachusetts, Amherst, 1984, especially chapter 7. I am not citing the Romanian literature here, which includes demographic, sociological and ideological studies.

35 See, for example, *Prevederi ale Legislației Actuale din Republica Socialistă România Privind Drepturile Și Îndatoririle Femeii* (Existing Legislative Provisions in R.S. Romania Regarding the Rights and Obligations of Women). București: Consiliul Național al Femeilor din Republica Socialistă România, 1976. The National Council for Women published booklets ranging in content from legal to health concerns. Regarding the various responsibilities of the women's "club," see *Regulament-Cadru Privind Organizarea, Funcționarea și Conținutul Activității Cluburilor "Femina."*

36 Working mothers had a particular effect on extended family roles. With inadequate childcare facilities available, grandparents took on this care-taker role; their "productivity" was, in a sense, measured in terms of their unpaid contributions to the functioning of the family. Grandparents were those who often stood in line for hours on end, attempting to obtain scarce necessities for everyday living. (See footnote 5; in a joking play on the patriotic youth organizations, grandparents who valiantly stood in endless lines were called "șoimii pieței," falcons of the markets. I thank Mihai Pop, Jr. for this note.) It is tempting to speculate on the relation between women's unpaid housework in the "bourgeois" family, and that of grandparents in the "socialist" family.

37 At least through the 70s, Ceausescu did "recognize" the conditions of women's overburdened lives: "...it is necessary to pay special attention to solving some of the problems of women's lives and work. I refer to the adoption of measures to lighten their work, that, at the same time, will enable them to fulfill in better conditions their obligations to the public [meaning state], their families, the upbringing and raising of children and the young generations. ...To lighten housework, our industry must assure the varied production of household items, of semi-fabricated and semi-prepared goods that will save time for women, and enable them to engage in multilateral activities" (Address to the National Conference of Women, April 21, 1978). The attentive reader may begin to discern the formulaic aspect of Ceausescu's discourse such as "the upbringing and education of children" which is used by Ceausescu, and incorporated into the speech of Dr. Badea [Chronicle, 1987]. Ceausescu was dedicated to a "multilaterally developed society."

The legacy of patriarchal family relations has not been significantly transformed; men, in general, do not "do their share" in the household. Of course, this generalization can be refuted in specific instances. Age, occupation, and rural-urban factors come into play. The state's non-interference in domestic matters such as violence or the division of labor reflects the particularity of the state's appropriation of the private sphere unto itself.

38 See *Digest of General Laws of Romania*, , pp. 91-92. It should be noted that Decree 463/1957 legalized abortion, giving women the right to choose. The 1966 reversal came as a shock, as witnessed by the 1967 increase in the birthrate. However, over time women and couples learned to "resist" as best they could.

39 The monthly allowances were differentiated by urban/rural residence, being lower in the latter. These allowances were also adjusted according to income levels. In 1985, allowances were supposed to be:

<i>environment</i>	<i>salary: up to 2500</i>	<i>2501-3350</i>	<i>3351-4450</i>
for the first child			
urban	300	250	220
rural	200	150	130
for the second child			
urban	350	290	260
rural	270	220	140
for the third child			
urban	430	340	290
rural	300	260	170
fourth and following			
urban	500	400	340
rural	350	290	230

(Article 3 Decree 410. December 26, 1985).

The rationale behind urban/rural differences was that rural families required less given their ability to provide a certain degree of their own subsistence through their personal plots. This did not take into consideration the fact that these same citizens were required to provide "barter" to receive their ration cards for staples. Nor did it recognize that rural payments were erratic. As was typical, this functioned well only in theory.

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40 See, for example, H. David and R. McIntyre, *Reproductive Behavior: Central and East European Experience*, New York: Springer, 1981; W. Moskoﬀ, "Child Care in Romania: A Comparative Analysis" *East European Quarterly* 15:3(391-97), 1981. See also Wolchik and Meyer, *ibid.*, Part IV.

41 Maternity medals are not unique to Ceausescu's regime. Their continued existence in the former Soviet Union was reported as recently as the late eighties. However, such Stalinist practices had been terminated elsewhere in Eastern Europe.

42 Instructions 27/1974 modified Article 2 to enable women of age 40 to get a legal abortion; the number of children still remained at 4.

43 Many studies then appeared about women's "multilateral" roles, such as:

A. Spornic, "Utilizarea eficientă a resurselor de muncă feminină în România (Efficient Use of the Resources of Female Labor in Romania). București: Editura Academiei, 1975; P. Cancea, *Mișcarea Pentru Emanciparea Femeii în România (The Movement for Women's Emancipation in Romania)*. București: Editura Politică, 1976; S. Buzatu, *Condiția Femeii Dimensiune a Progresului Contemporan (The Condition of Women: A Dimension of Contemporary Progress)*, București: Editura politică, 1979.

44 Upon Elena Ceausescu's death by execution on December 25, 1989, the official accolades attached to her being were thoroughly ritualized: she was "comrade, academician doctor engineer, beloved mother of the Romanian people". When Ceausescu began promoting his son, Nicu, he began a public campaign about youth. The political-educational campaigns paralleled political "moves" to consolidate power, in these cases, in the family.

45 Ceausescu's consolidation of power involved the securing of key loyalties through appointment of extended family members. Thus, his version of communist rule was variously described as "socialism in one family," "dynastic socialism." See, for example, V. Tismaneanu, "Byzantine Rites, Stalinist Follies: The Twilight of Dynastic Socialism in Romania" *Orbis*, spring 1986, pp. 65-91. That so many members of the extended family were in key positions was captured in the play on the acronym for the Romanian Communist Party: PCR. Popularly, this also meant: Petrescu (Elena Ceausescu's natal family), Ceausescu, and Rudele (and relatives). There are other "interpretations" of PCR that underscore the nature of personal relations, influence, etc.

46 This early statement on gender homogenization concludes with his noting: "Nonetheless, I believe that women must work more intensely toward the liquidation of the negative attitudes that still dominate in these domain." In effect, it is the responsibility of women to combat sexism. See "Address of Comrade Nicolae Ceausescu to the plenary session of the Central Committee of the Romanian Communist Party, June 18-19, 1973, with regard to the role of women in the political, economic and social life of the country," p. 9.

47 "Decisions of the plenary session of the Central Committee of the Romanian Communist Party, June 18-19, 1973 with attention to the growth of the role of women in the economic, political and social life of the country," Editura politică, 1973, pg. 27.

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- 48 See N. Ceausescu, "Address to the National Conference of Women," April 21, 1978. Again, the need to change existing gender relations in the household division of labor was not addressed officially.
- 49 Romanian statistics from this epoch are notoriously unreliable. This birthrate was reported by Radio Liberty Research, and taken from the *Statistical Yearbook of the Socialist Republic of Romania*, 1985. It is similarly reported in Trebici and Ghinoiu, 1986, p. 30.
- 50 Contraceptives were not forbidden by law; however, they were unavailable. This meant they could only be obtained through illegal, black market connections. Abortion, on the other hand, was illegal. The distinction is worth noting.
- 51 A couple came to me once—up in the far north of the country—and requested a confidential chat. They were at their wits end. Their means were already strapped. They had two children, a small apartment. She was desperate: if I sexually reject my husband because we can't afford another child, then he will go to someone else which is unlivable. Yet, it is not right to deny him sexual access. Can you help us?
- 52 Women workers frequently explained that they did not want children because they did not have apartments, and/or that they commuted long distances daily to work. Since transportation was problematic and erratic, this did not augur well for childcare.
- 53 Atwood's popular novel was later made into a commercial film.
- 54 This, with several other poems, appeared in *Amfiteatru* 1984. Blandiana was not punished in any significant manner, resuming publication elsewhere after a short while. However, the editor was demoted. These poems were allegedly Xeroxed and distributed by gypsies. (I received copies here in the US.)
- 55 The highly respected Romanian demographer, Vladimir Trebici, wrote an article in 1988 in which he outlined the shift from demography as scientific practice to demography as political practice. See "Demografie între știință și acțiune socială" *Viitorul Social* 1(1988):69–78.
- 56 The decline in the standards of living had become publicly noticeable in the beginning of the 80s. By 1984, winters were endured with decreasing heat, electricity cuts, and food rationing. The italicized phrase must be interpreted against the realities of these material conditions. The inverse relation between ideology and practice, that is, between Ceausescu's rhetoric and life as experienced, increased throughout the decade.
- 57 Group education was managed through the formation of the "school for mothers" which was organized nationally. The style was pedagogic, filled with lectures and demonstrations in which many mothers and mothers-to-be participated. There were also "schools for fathers," and for "grandparents." There is no indication of attendance or general efficacy. Although more limited, premarital counseling hours were established. Also see, M. Mincu, *Sfatul Premarital*. București: Direcția Sanitară a Municipiului București, 1988.



In the summer of 1990, I was able to view one of the anti-abortion films which is to be praised for its relatively non-melodramatic presentation, the contrary of what I had expected. As anti-abortion propaganda films go, this was tame enough.

58 Competitions existed in all realms of activity; these were meant to involve the masses in socialist values. Hence, in *Sănătatea* 4, 1984, the second quiz in a series appeared, to which readers responded. Questions such as the following were asked: What are the necessary annual natality indicators recommended in a recent Party document?(15–20/1000 inhabitants; 17–19; 19–21); In what year did the Romanian Red Cross issue a stamp of a girl with a dove in hand, symbol of world peace? (1962, 1975, 1959); How do you resolve this household accident? etc.

In 1985, an anti-smoking campaign began; it was virtually ignored in as much as people could obtain cigarettes through the black market.

59 The Council for Culture and Socialist Education organized this massive national undertaking. See, for example, *Festivalul național al educației și culturii socialiste "Cântarea României"* Regulament-Cadru, București, 1980; or ediție 1983–85, published in 1986. See also, A. Giurchescu, "The National Festival 'Song to Romania': Manipulation of Symbols in the Political Discourse." The festival system was intended to homogenize "high" and "popular" culture, engaging the massive in creative action. (Some suggested that the rewards, such as travel abroad, kept people occupied so that they would not have time to protest.)

60 According to the norms of "traditional" culture, non-marital sex was unacceptable. See Kligman 1988. On adolescent reproduction, see P. S. Olariu et. al. "Probleme actuale ale adolescenților în contextul capacității de reproducere umană" *Viitorul Social* July-August, 1988, pp. 294–98.

61 Other letters moralized against divorce: "I am 16...I think a divorce is a disaster for a family..." The confessional technique of morality tales is relatively consistent. There were articles that noted the incomparable "gifts" that mother love brings a child. The gist of such letters was that the state, of course, provided good care for orphaned children, but nothing was like being in a family. See *Femeia* 21, 1988, pg. 15.

62 Institutul de Igienă și Sănătate Publică, *Educația pentru sănătate în probleme de demografie*(*Health Education for Demographic Problems*) . București: Editura Medicală, 1985, pg. 94. See also R. Mateescu and R. Brănescu, *Igiena și regimul de viață al femeii în producție*(*Hygiene and the Life-Cycle of Women in Production*) . București: Editura Medicală, 1976. The number of booklets available are too numerous for citation.

63 A. Constantinescu et. al., *Pledoarie pentru maternitate* , București: Editura medicală, 1987, pp. 4–5. This is "classic" rhetorical style.

A socio-psychological study of female factory workers in Bucuresti noted that women without children suffered more from states of tiredness and boredom than did those with children because the former benefited from "superior motivation" (*Femeia* 3, 1967, p. 4).

<sup>64</sup> The village in which I have done extensive fieldwork has one of the highest natality rates in the country and was one of those celebrated in the state media for its contributions to the population plan. However, village residents quickly point out that, despite public practice of Eastern Orthodoxy, they remain Eastern Catholics and that is why their natality figure was so high. The pronatalist policies were considered irrational in view of the conditions of life.

This village was "honored" in *Scînteia Tineretului*, March 1, 1986 in an article titled: "O îndatorire de înaltă răspundere față de societate, față de viitorul națiunii noastre socialiste" ("A duty of great responsibility regarding society, and the future of our socialist nation;" this is preceded by a line in smaller letters: beautiful and healthy children for the vigor and youth of the fatherland.) Familia Dunca, for example, has 11 children, as do many others. Etc.

<sup>65</sup> I learned of this population plan in the northern region of Maramureș. I am unable to verify if this was meant to be implemented in regions with high natality figures such as in certain villages of Maramureș, or whether this was a general policy decision that failed. Many men and women, in random conversations, asked why anyone would bring more children into their then living hell.

<sup>66</sup> It is beyond the scope of this paper to discuss the contradictions implicit in this view of Hungarian education; suffice it to say that during the Ceausescu regime, Hungarians were discriminated against with respect to educational access at higher levels. The sense of Hungarians being better educated refers to their being more sophisticated, more "civilized" in these matters.

<sup>67</sup> I learned of this in 1991 while discussing my research with an editor of a Hungarian newspaper. Such information was not meant for public consumption, then or now.

<sup>68</sup> According to a study prepared by the Ministry of Health in 1986, the number of live births varies by nationality. For Romanian women, the median was 1.93 children; for Hungarians, 1.73; for Germans, 1.6 and for others, 2.56. The others presumably are gypsies. Also, the lower German birthrate is probably due to the older and smaller population of Germans; as conditioned worsened under Ceausescu, many Germans with relatives abroad emigrated.

<sup>69</sup> E. Mesaroș, "Considerații asupra politicii demografice a României" In *Alternative '90*, 1:4, 1990, pg. 29. Dr. Mesaroș was a member of the National Commission on Demography until 1985 when he resigned. "Considerations..." was dated October 3, 1974. The distinction between a social and national problem was meant partially to signal the class distinctions operative in reproductive behavior. The gypsy birthrate was considered troublesome due to their low levels of education and presumed high degree of participation in delinquent behavior. The problem was not meant to be construed in national terms, which would have been ideologically difficult.

At a conference on Inter-ethnic Relations in București, 1991, we were repeatedly told that the violence against gypsies is socially rather than ethnically based. The problem is due to the social class position of gypsies(i.e. underclass)and associated behavioral patterns, rather than to ethnic or racial prejudice.

70 While demographers may know that the number of births often decline in times of economic hardship, the regime did not officially recognize this relationship. That does not mean that data did not exist. See, for example, "Studiul asupra cauzelor care influențează fertilitatea populației feminine" ("A study about the causes which influence female fertility") prepared by the Ministry of Health, 1986. The number of live births was correlated with such factors as years of marriage, income, occupational and educational levels. Predictably, for example, the relationship between years of education and number of children was an inverse one: the less schooling, the more children. Such studies were done regularly. See also, "Studiu longitudinal al fertilității în R.S. România" ("A longitudinal study about fertility in Romania") also done by the Ministry of Health's Centrul de calcul și statistică sanitară. Data collected in 1974–5 were compared with that from 1967–8 for the same age cohort of women 15–49, in their first marriages. Among the questions analyzed were those pertaining to a woman's reasons for not wanting children, or more children. The most frequent concerns expressed were: lack of childcare possibilities, inadequate housing facilities, insufficient financial situation, female sterility, poor health of one or both parents, etc. The findings are too numerous to summarize. In essence, they represent a broad spectrum of socio-economic factors that influence fertility behavior.

It is not surprising that a recent *New York Times* ' headline about demographic developments in the U.S. read: "A Drop in Births Is Reported, And the Recession Is Blamed" (November 3, 1991).

71 Article 1, Decree 409 modified Law 1 of June 30, 1977 in which "the contribution of childless persons who work in state socialist units" was fixed. See *Digest of the General Laws of Romania*, pp. 149–151. See Article 2. The state's implicit support of pregnancy outside of wedlock was deplored by many, and considered immoral.

72 It is beyond the scope of this report to discuss the relationship of intellectuals, broadly interpreted, to the ruling power. Their potential mediating role has been debated widely. In view of their structural position, this category of professionals has been referred to as "the dominated fraction of the dominating class." (See Bourdieu 1984 .)

73 Article 185 of the Penal Code is also pertinent: Any person performing illegal abortions with the consent of the woman was subject to 1–3 years imprisonment; without her consent, 2–5 years. If there was consent and physical damage resulted, the physician could get 2–5 years, or 3–6 without the woman's consent.

74 Guilt is often an effective means to insure public compliance.

75 That her pregnancy was not noted suggests that the factory doctor was one of the many sympathetic to the plight of women and families. In this case, the physician was caught. Not recording a pregnancy was one of the many means used to resist the law.

The wording of this article, typical of this type of ideological-morality tale, embeds the specifics of the pronatalist policies into its narrative structure. Hence, it was inadequate to note that the woman had not been properly examined; this assertion was followed by "especially for those between the ages of 16-45, ..." continuing on with the wording of the directives about gynecological exams. See "Medical Ethics and Professional Morality: Discipline as an Expression of Professional Conscience" *Muncitorul Sanitar* 39, September 29, 1987. Related titles about disciplinary board actions include: "Implicarea morala a medicului: drumul cel mai scurt spre eficienta" ("A doctor's moral commitment: the shortest road to efficiency)," "Masuri de prim-ajutor pentru...eficienta!" (First-Aid Measures for...efficiency!)

76 Medical practitioners were confronted by contradictory demands: to serve their patients, and to abide by the laws of state in the interest of building socialism. Professional negligence about abortion matters often signaled that the doctor was a humane, if not law-abiding, citizen.

77 "Traditional" mid-wives were early victims of "scientific rationality." They were forbidden the right to practice unless they became state-certified. (See Kligman 1988.) As the birthrate declined, known "traditional" mid-wives were watched by the secret police; they were prime suspects for performing and/ or prescribing "traditional" abortions.

78 From reading the record, it seems likely that the accused was tortured in prison and did not resist well, resulting in "an altered state of health" that necessitated his being taken to the emergency room at the Jilava Prison hospital. The leniency was not out of consideration for his age and poor health, but for the problems that his dying in prison might have created.

The accused declared officially that his statements were obtained by "the application of repressive treatment."

79 Abortion was against the law. If someone was caught for having had one, performed one or assisted in arranging an illegal abortion, then the police attempted to "buy" the person into the state's extensive network of informers. The securitate were ever vigilant in this regard. The webs of complicitous behavior were thus woven.

80 In the arbitrary reading of court cases that I read, the sentences varied from six months to one and one half years for mothers. The terms for medical cadre or others who performed abortions were more severe if the individual did not cooperate with the police. I was granted very limited access to such records, selected by a lawyer in the Ministry of Justice. The one specific file I did request was denied on the grounds that it would be impossible to locate it. This was of an obstetrician who had been politically manipulated; the physician was incarcerated for two years on the grounds of having performed an abortion for a family member of someone in the upper echelons of government. (In the months after the revolution, the customary refusals of earlier years became something along the lines of "we'd be delighted, but things are in such chaos, what with everyone and everything being moved; we're so sorry." There was only a certain degree of veracity to this.)

81 Compare 27.8/1000 live births/5.230 deaths in rural areas, to 23/1000 live births/4.413 deaths in urban areas. It seems that children of older mothers were at greater risk. See "Mortalitatea infantilă...."

82 In 1980, congenital abnormalities accounted for 15.4% of infant deaths under the age of one; by 1989, this had risen to 18.9%. Data is cited by S. Mezei in a recent paper, "Une analyse demo-sociologique des consequences de la politique demographique roumaine." For 33.2% of children between the ages of one and four, morbidity figures were due to congenital abnormalities.

It is believed that a major contributor to the deterioration of health is environmental pollution. The effects of Chernobyl are unknown, but assumed suspect.

83 A doctor in a central București hospital whispered that the infant wards were the only ones that were heated regularly, an arrangement secretly agreed upon among medical personnel; this was an attempt to prevent infant deaths. This same doctor doubted that hospitals outside of București had the necessary secondary energy sources. Whether any of this is true or not is unknown; however, it was volunteered.

84 The western press did exaggerate the extent and frequency of these exams. I could not obtain any verification from women that they had been subjected to the much-heralded monthly exams. (I conducted interviews with factory workers, peasants, intellectuals and medical practitioners in the capital as well as in the countryside.) Indeed, the organization needed to manage such exams on a national scale precludes such a possibility, particularly in Romania. Some factories did do trimesterly exams. Doctors admit to having checked for pregnancies without having informed their patients. The farther from București, the less rigid the system. The exams were ordered; how they were done is quite another matter. The western press has little justification for sensationalism about a situation that was already horrendous.

85 "Metodologie luării precoce în evidență a gravidelor și supravegherea medicală a sarcinii, în primul trimestru," ("The methodology for the early detection and medical supervision of pregnancy during the first trimester") *Muncitorul Sanitar* 17, April 4, 1987, pg. 6.

86 Jokes circulated about the gynecological controls as well. To summarize one lengthy, especially black joke in this vein: A woman, badly beaten, stood before the court. The accused was a respected gynecologist. In self-defense, he recounted the circumstances that led him to pummel her: "One evening, after a long, hard day, I walked into the entry hall of our apartment building to be accosted by this woman. (The implication is that she is a gypsy, also.) I lost control; I couldn't take it—I had had a full day of [legal] abortions, and 60 gynecological exams! Then she appeared and offered to show me her "little bird" for 100 lei! I couldn't take it! I'd had enough vaginas for a day!

87 I acknowledge my gratitude to the person who gave me these materials (after the "revolution"). The language quoted throughout my report should give the unfamiliar reader a sense of the cumbersome style of the "wooden language" mentioned above. The title of this report pays homage to the political-demographic policies. "Information about the mode by which communists, all of the workers at the obstetrics-gynecology clinic, attempt—as an expression of the efficiency of their work—to better the demographic indicators." Refer to footnote 74 regarding the medical disciplinary board's concern for "efficiency."

88 The embedding of criticism in the middle of an otherwise formulaic report is similar in style to popular forms of public expression of criticism. See Kligman 1988, #3, on ritual laments as a vehicle for voicing criticism.

89 I. Coman, "Preocupări susținute pentru îmbunătățirea indicatorilor de sănătate a populației" ("Confirmed studies about improvement of health indicators for the populace") *Informația Bucureștiului*, April 18, 1987, p. 2. I have summarized in [ ] strings of formulas to simplify an already encumbered sentence.

90 Doctors did this at considerable risk; if caught, they were usually brought before the disciplinary board. See above.

91 See L. Roznatovschi, *Aspecte ale întreruperilor de sarcină în R.S. România 1988* (Aspects about abortions in the Socialist Republic of Romania) Ministerul Sănătății: Centrul de Calcul și Statistică Sanitară, 1989.

92 It is beyond the scope of this paper to delve into the Romanian orphanage system. Being an abandoned baby in Romania often meant a sure sentence to death rather than a license to live. The media has reported extensively on these tragic circumstances. On the orphanages, see, for example, S. Sachs, "Romania's Lost Children" *Newsday* May 27, 1990; M. Battista, "A Ceausescu Legacy: Warehouses for Children," *Washington Post* June 7, 1990; C. Sarler, "Shame about the Babies: Why Romania has to learn to care" *London Sunday Times Magazine* January 20, 1991. Relatedly, I highly recommend N. Scheper-Hughes' poignant *Death Without Weeping: The Violence of Everyday Life in Brazil*, in press, University of California Press.

93 See, for example, "Studiu privind optimizarea vieții unor categorii sociale defavorizate și cu precadere a minorilor din instituțiile de ocrotire socială," MS, 1990 (A study about the optimization of the lives of certain unfavored social categories, especially minors in orphanages).

94 The statistics on infant AIDS were deliberately suppressed by the regime (personal communication, Institute of Statistics of the Health Ministry). On the AIDS crisis, see, for example, C. Bohlen, "Romania's AIDS Babies: A Legacy of Neglect" *New York Times* February 8, 1990; "Fight Against AIDS Lags in Romania" *New York Times International* May 9, 1990; D. and S. Rothman, "How AIDS Came to Romania" *New York Review of Books* November 8, 1990.

A brochure issued in Romania by the Institute for Hygiene and Public Health noted in a general discussion of the dangers of AIDS transmission: Persons at high risk for infection must be conscious that they can transmit this illness to others and consequently they must be excluded from donating blood, plasma, organs etc. Furthermore, the danger of transmitting AIDS through blood transfusions or the administration of blood-based preparations is practically eliminated through measures taken with respect to the selection of blood donors and exclusion of those contaminated with the HIV virus, laboratory screening of blood to identify and exclude contaminated blood..." Medical students claim that in the late 80s, blood donators were no longer scrutinized. In that the infant AIDS epidemic is largely the result of microtransfusions and multiple usage of unsterilized syringes, the claims in this brochure must be discounted.

As of the writing of this report, 1557 cases of AIDS have been registered in Romania, with 552 deaths. The actual figures are presumed to be higher. According to the December 6, 1991 RFE report, Romania ranks first for HIV+ children in Europe. The incidence of AIDS in Eastern Europe is likely to increase dramatically due to poor hygienic conditions in hospitals, increased drug transit and usage, increased prostitution for hard currency, and lack of contraceptive usage.

95 It is perhaps difficult for westerners to comprehend the facility with which one could enter and leave hospitals unnoticed. I accompanied a peasant woman to visit her husband in the intensive care unit. We entered at 9 p.m. No one questioned our presence. Similarly, some women who had given birth left the hospital on their own accord without informing anyone. Their babies remained wards of the state.

96 News reporters have accusingly asked: "But didn't the Romanians, like the Germans, know what was going on in these orphanages?" Some have gone so far as to label them death camps. The German destruction of human life in the camps was systematic, and specific. Life in Germany went on as usual as possible under the constraints of war-time conditions. Life in Romania did not; all but privileged Party members and Securitate were subjected to the harsh conditions imposed by Ceausescu in the interest of repaying their foreign debt. News reporters forget that conditions in the orphanages exaggerated those "outside." Hospitals which "serviced" many more people than did orphanages had little heat at their disposal. Patients' families supplied food. There was virtually no medicine available, etc. The horrors of the orphanages are indeed that, but they are more a consequence of the follies of this regime, than of its deliberate, systematic elaboration of "death camps." It is reprehensible that arbitrary choices were made between recoverable, and nonrecoverable children, the latter being left to die through neglect. The handicapped were usually, and tragically, consigned to this category. Here, collusion between parents and state must be noted. These unfortunate persons were effectively removed from society, in keeping with Malthusian notions that separated the unfit. It is also reprehensible that certain males were singled out to be molded into securitate. (After three years of age, children became the official wards of the Ministries of Work and Education. Among those not labelled "irrecoverable" were boys groomed to become Ceausescu's special guard.) I by no means wish to excuse the regime, nor the Romanians for their complicity with it. I do not find it appropriate, however, to posit that Hitler's and Ceausescu's regimes were organized by the same principles. (At least the comparative frame should be more to the point! Ceausescu was openly an admirer of Stalin.)

97 In reading a selection of files at the Ministry of Health, it was painfully clear that many of the women who died as a result of an illegal abortion left three or four children behind. Some of these women had had as many as ten abortions prior to this final tragedy. Also, according to data compiled from international organizations, Romania has the highest maternal mortality rate in Europe, with 150 maternal deaths/1000 live births. See L. Fox, "Social Care in Romania—Strategy for the Nineties" *Transition: The World Bank/CECSE*, 2:8 (1991), pp. 6–7.

The Programme Adviser for International Planned Parenthood Federation recently wrote that "Between 1966 and 1989, 9,452 women died from illegal abortions...; 86 percent of all pregnancy-related deaths were the result of botched abortions" (K. Newman, "Eastern Europe: Update on Reproductive Rights" *MS*, II:1, 1991, pg. 16. While the latter figure seems reasonable, the former may be an underestimation. In addition to the fact that statistics in Romania are unreliable, many maternal deaths due to illegal abortions were not recorded as such at the Medical-Legal Institute, or morgue. According to their records, between 1976–89, 7280 women died from illegal abortions.

98 These numbers do not include women who died due to complications prior to arrival at a hospital. In 1989 at one of Bucharest's largest maternity clinics, 3129 women were hospitalized due to complications associated with illegally performed abortions. Of these 26.6% needed intensive treatment for raging infections, 3.9% had hysterectomies, and 1.1% died. These figures are reported by Mezei (1991, pg. 5) as culled from an unpublished article prepared by Drs. Puia et. al. of the Societate de Educație Contraceptivă și Sexuală (SECS).

The second highest number of abortions done were among the category of women who had five or more children and had at least five in her care (22.8%), followed by those with legal medical reasons (16.6%), and those who were of legal age (.5% at 45 years). See *Aspecte ale întreruperilor de sarcină în R.S. România 1988*.

99 I believe these are ethical choices. What is the essential distinction between women who have chosen to abort, and those who have participated in the abandonment of their infants to the "will of God?" The ideologies in which such actions occur surely differ, as does the empowering of the individual through the act of taking responsibility. Again, see Scheper-Hughes.

100 Abortion was perceived as sparing children from the ravages of life in a police state, understood as no life. Abandoned children became wards in state institutions—hardly an advertisement for the good life, and in too many cases, a destiny of waiting for death. Today, international adoption is considered a preferred means to give your child a chance in life; while many have truly altruistic interests, others have recognized the profit potential and have entered into vicious exploitation of a tragic reality. Romanian children are particularly desirable because they are mostly white; Westerners do not readily note the distinction between gypsies and Romanians, a distinction that few Romanians would fail to notice.

101 It is too soon to discern the effects of the economic transition on women's participation in the labor force. While many analysts have suggested that women will be removed from the work force to provide much needed jobs for men, this is too simplistic an approach to the problem of transforming socialist economies. Heavy industries are among those that must be phased out; more men than women were employed in heavy industry, suggesting that their jobs are most precarious. Furthermore, women tended to occupy lower-paying jobs, which may be reason to keep them in the labor force.

102 It is well beyond the scope of this report to discuss critically the implications of reproductive legislation for an understanding and critique of the discourse of "democracy," "civil society," "citizenship," etc. Suffice it to say that these issues are of concern not only in the nascent "democracies" of Eastern Europe, but in the established democracies of the western world.

Vulnerability is meant to connote those with little access to power relations, or the means to protect their interests in the public sphere. Minorities encompass those whose race, ethnic identity or sexual/gender preferences mark them as "other."

103 The adoption law is one of the few positive measures taken to protect human rights. Otherwise, the current government has been repeatedly negligent, particularly in response to the ethnic conflict in Tirgu Mures in 1990, the miners' rampage in June 1990, and the 21 incidents of violence against gypsy communities. See, for example, the Helsinki Watch Report, *Since the Revolution: Human Rights in Romania*, 1991.



104 As the Catholic church attempts to secure the banning of abortion, Polish women have been among the first to recognize that the transition may not make life much easier for them, at least not in the immediate future. See Fuszara 1991, Hauser 1991, Kligman 1991.

105 This cautionary point has also been made in a recent report by C. Hord et. al: "Reproductive Health in Romania" Reversing the Ceausescu Legacy," *Studies in Family Planning* 22:4( 231-40), 1991.

106 See *Monitorul Oficial al României* Nr. 1, pg. 1: 8, 12, December 27, 1989. Shortly thereafter, the Consiliul Frontului Salvării Naționale issued a decree regarding social protection for woman and children. See Decret-lege nr. 31/18.01.1990. I have been unable to obtain information indicating that these provisions have been subsequently modified. One of the assumptions associated with the rigors of the transition is that the social protection measures guaranteed previously will be cut.

107 I feel it is important to distinguish between the protection of a right—that is, to abortion, and provision of contraceptive options. Abortion should be a contraceptive option, *not* the primary contraceptive method. While international contributions of contraceptives began to pour into Romania in response to this tragic situation, problems associated with distribution and lack of contraceptive education did not really contribute significantly to changing perceptions and behavior. (Western reports about efforts and effects in this first year are, consequently, not as representative as claimed. See, for example, Hord et. al 1991, pp. 234-5.)

It should be mentioned that Romanians were tired of "natural" methods and their uncertainty.

108 In random interviews that I did in the summer of 1990 with women representing diverse ages and occupations (among workers, intellectuals, peasants), it became clear that most urban women had had several abortions. I know women in their forties who have had as many as eleven abortions as a matter of course.

109 Recall that the number of maternal deaths due to complications from illegal abortions dropped significantly in 1990 to 181 as compared with 545 in 1989.

110 See the Associated Press article, "Abortions in Romania Outpace Births by 3-to-1," *Register Guard*, May 13, 1991.

111 The maternal mortality figures for 1990 indicated 83 deaths per 100,000 live births, with maternal deaths due to abortion decreasing to 69% of 249 maternal cases as compared with 87% of 588 maternal deaths attributable to abortions in 1989. Reported in Hord et. al. 1991, pg. 234.

112 The persons involved in SECS are, for the most part, dedicated physicians, many of whom are quite young. They are eager to learn from the west, although critical of certain interests that detract from effective implementation and education (such as the abortion restrictions associated with U.S.A.I.D.). Their educational efforts include the establishment of clinics at universities for sexual and contraceptive education, the preparation of related brochures, etc. See "Citește înainte să faci dragoste" (Read before making love) which contains information about sexual relations, contraceptives, AIDS, sexually-related diseases, etc.

113 For a review of what has been done with respect to reproductive health in Romania since the fall of the regime, see Hord et. al 1991. They note that by August 1990, the Minister of Health had "designated 119 family planning centers in hospitals and clinics throughout the country" (pg. 234), and that by the end of 1990, SECS had six offices in Bucharest and 18 branches in other major cities. The difference between "designated" and "operating" remains significant. However, the efforts of the Ministry as well as those of SECS must be applauded.

114 I was appalled to learn in random interviews with prostitutes at the Intercontinental Hotel in February 1990 that most were unconcerned about AIDS and did not insist that their "clients" use condoms. The increase in prostitution speaks to the easy translation of the "labor value" of the body into entrepreneurial activities.

Prostitutes were frightened that I and a French colleague were secret police come to "bust" them. There was talk about government officials wanting to unionize prostitutes as a means to control sexually-transmitted diseases. The prostitutes found such reasons unconvincing. They were certain that authorities wanted to control their wages, as well as continue past surveillance practices under the guise of health control. This way of thinking is not in the least surprising. See the discussion above of the mandatory gynecological exams for "health" reasons.

115 I do not have a breakdown of AIDS and HIV+ diagnoses for children and adults. Presumably the infant AIDS numbers should be declining, while adult cases rise. Romania has the highest incidence of HIV+ children in Europe. See footnote 94, section two.

116 These women tend to work at the hotels where foreigners stay. Some of the prostitutes I interviewed said they worked one full weekend a month "to make ends meet" at home. Women were already used to understanding their bodies as productive machines; that this is a feasible outcome may be upsetting, but understandable.

117 The exchange rate has fluctuated dramatically in response to currency stabilization measures. The figures cited here may no longer be accurate, although the issue remains the same. Thirty lei was the price for an abortion before it was banned in 1966.

118 In the "National Programme for Health Promotion" prepared by the Ministry of Health in 1991, family planning, as well as HIV, AIDS and Sexual Education figure among the highest priorities. Other objectives include an anti-smoking educational campaign, disease prevention, mother/child health education, etc.

119 It is beyond the limits of this paper to discuss fully the adoption of Romanian children, as well as the situation of children in Romanian orphanages.

120 See also footnote 17. On foreign adoptions during the regime years, see: "Boom in the Baby Trade," *The Economist*, January 16, 1988; "Judy Dempsey looks at the problem of obtaining exit documents," *The Financial Times*, May 10, 1989; M. Galainena, *L'adoption: Voyage au bout d'un desir*. Paris: Editions La Decouverte, 1989, pp. 97-110;

121 The Romanians, in response to international inquiry and assistance, prepared an informative study about the situation of institutionalized minors which included recommendations for improvement of these conditions, the establishment of a government organization to deal with social problems, etc. See "Studiu privind optimizarea vieții unor categorii sociale defavorizate și cu precădere a minorilor din instituțiile de ocrotire socială," MS (A study about the optimization of [the quality of] life for certain socially disregarded categories, especially minors in orphanages). Also see the relevant decrees-laws pertaining to the social protection of children.

Humanitarian efforts included shipment of supplies to the orphanages, as well as western personnel simply moving in to specific orphanages to train local staff while caring for the neglected children. A particularly enterprising Bay Area group, "Touch Romania," continues to raise money and contribute funds, goods and time to several orphanages in Romania. The British have been very active as well, where fund raising events to help the plights of the world's peoples have become common. See, for example, the billing for the benefit "Kids at Heart" for medical aid for free Romania, held at the London Palladium on January 20, 1991. Among the many media articles that appeared about international assistance problems, see C. Sarler, "Shame about the babies: Why Romania has to learn to care," *London Sunday Times Magazine*, January 20, 1991, pp. 18-30.

122 Some adoptive parents sent baby announcements to their families and friends to inform them of the arrival of their Romanian child:

x  
a la grande joie de vous annoncer l'arrivée de son petit  
y \_\_\_\_\_  
ne a place} (Roumanie)  
le [date]  
(adresse)

(X has the great joy of announcing the arrival of little Y born in Z, Romania, on [date]...).

123 See C. Lawson, "A Doctor Acts to Heal Romania's Wound of Baby Trafficking" *New York Times*, October 3, 1991, pg. B1. She provides comparative figures for American adoptions of South Korean children for that period: 1534.

124 See "România: Infierarea de copii români de către cetățeni străini" (Romania: Adoption of Romanian Children by Foreigners) by Défense des Enfants-International and Service Social International, April 1991, pg. 10.

125 Just as the post-war Jewish population decreased through emigration, so gypsies are leaving Romania through emigration. Initially, when gypsies were adopted from the orphanages, some Romanians expressed disdain for foreigners saving gypsies. Then, gypsies are castigated for their willingness to sell their own children. Here, it seems worthwhile to point out that gypsies are not the only ones so doing; moreover, and more importantly, years of Reaganomics should have made the supply-demand relation explicit. There are buyers whose demand encourages sellers to continue to supply them with their products: children. For a related discussion about the ethical ambiguities of international adoption in Brazil, see N. Scheper-Hughes, "Theft of Life," *Society* 27:6, 1990, pp. 57-62.

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126 See, for example, Sarler, *ibid.*, K. Hunt, "The Romanian Baby Bazaar" *New York Times Magazine* March 24, 1991; L. O'Hanlon, "Tragedy and trauma of the Bucharest orphan trade," *Sunday Times*, June 9, 1991.

127 This questionnaire is not obligatory, hence, how representative it is, and of what sample size is uncertain. Consulate officials say that the general trends indicated for June are representative.

128 Staff at orphanages in Bucharest described the market-like atmosphere that was created when groups of foreigners arrived at the orphanages to view and choose babies.

129 Data about coercion of mothers to give up their newborns were drawn from interviews with women, medical staff at one of the largest maternity hospitals in Bucuresti, and personnel at the National Adoption Commission, and I.N.S. (in Bucuresti).

130 See K. Hunt, "The Romanian Baby Bazaar" *New York Times Magazine*, March 24, 1991, pg. 53. I find the lack of self-reflection on the part of the foreigners involved and the ability to rationalize nagging doubts about coercion not only troublesome, but inexcusable. This is a form of exploiting the legacy created by the former regime about which everyone otherwise responds with pity for the Romanians. A more balanced account is to be found in the personal account by L. Aitken, "The High Price of a Baby's Love," *Money*, January 1992, pp. 98-113.

131 Two days prior to my departure for Romania in June 1991, I received a call from a Bay Area couple caught in an adoption process. They wanted to know if I could help them. As I listened to their saga, it became reasonably clear that they were entwined in an illegal case. I felt badly for their emotional pain. However, when they volunteered that they wanted to use a connection to get to the Romanian Prime Minister, my sympathy vanished. I noted that I had little patience for those who shake their heads in agreement that the former regimes were corrupt—except when they have an opportunity to benefit from such corruption.

132 I am not at liberty to divulge the varied sources of this information.

133 In the Embassy questionnaire, however, many wrote that not knowing the language put them at a considerable disadvantage. They were subject to exorbitant fees, ever changing rules of the game, etc. The inability to communicate made it easier to avoid the emotional pain that explicit knowledge about coercion would have fostered.

134 Some had their own stories to tell, such as a female INS investigator who had been offered a child for adoption by an "enterprising" father. He felt it was his patriarchal prerogative to "knock up" his wife so that he would have babies for sale (personal communication). Other professionals (e.g. doctors and orphanage personnel) had numerous and specific cases to report.

135 See, for example, N. Scheper-Hughes, "Theft of Life," *Society* 27:6 (57-62), 1990.

136 Some colleagues, upon reading drafts of this report, have asked why I think this story is true, pointing out that the tellers are gypsies. I can imagine that the experience many non-gypsies, especially foreigners, have with gypsy women hustling them on the street may prompt such doubts; I myself have no tolerance for these women. But there is also an implicit bias in this query as well. The romantic image about gypsies, with its positive and negative connotations, has little to do with the majority of Romanian gypsies who are settled, and functionally assimilated, etc. These women were among the population of settled gypsies; I might also note again that my introduction to wife-beating in Romania was not among gypsies, but among Romanian peasants. My initial exposure was one of the more shocking experiences among my many years of field research. The physical abuse of women is still a common phenomenon, rarely made public. (See, for example, R. Filip, "O crimă odioasă: Eu Tot la Pușcărie Mă Duc" [An Odious Crime: I Will Go to Prison Anyway], *Curierul Național*, April 24, 1991; about a battered woman who eventually murdered her husband.) In view of these factors, it is beyond my cynical capabilities to doubt this story.

137 However, I knew the futility of this exchange of information. To expect that these women would travel by public transportation to Bucharest for contraceptive advice was folly. Furthermore, the prejudice against gypsies is such that I am not certain they would have been helped, despite the explicit desire expressed by many Romanians about curtailing gypsy reproduction.

138 Some Romanians accuse the government of wanting to rob ordinary people of one of the few means by which they can make money so that the government may profit instead. Some foreigners belittle the government for preventing them from taking Romanian children to a better life! In a recent update to a guide written by a woman who had adopted two Romanian children, the author summarized the consequences of the new law. (See Del Vecchio, July 24, 1991 update.) She noted that all maternity hospital adoptions were stopped, and that all eligible children must be given up to an orphanage prior to adoption. Her letter closes with: "God Bless You in your efforts to rescue a little one."

The adoption law was signed on July 16, 1991, and went into effect on July 17. This law modifies law nr. 11 signed in 1990.

139 Infertility has reportedly been on the rise in Romania in consequence of pollution, malnutrition and deteriorated conditions of daily life. The preferential treatment accorded Romanian citizens in adopting Romanian orphans is meant to address the demographic problems posed by a declining birthrate (by keeping children in the country) as well as the problems that may accompany intercultural adoptions as the children grow older.

For a summary of the new law as discussed by the director of the National Adoption Commission, Dr. Alexandra Zugrăvescu, see C. Lawson 1991. Dr. Zugrăvescu is a well-intentioned, energetic woman whose efforts to establish a system comparable to those in effect elsewhere in the world were recognized by the passage of the law. Also see P. Houston, "Romania's Experience Spurs Adoption Treaty," *Los Angeles Times*, February 12, 1992, pg. A5.

140 To reiterate, there is virtually no public attention to the physical abuse of women. Here, the government and its agencies, including research institutes that might well address such issues, are sorely negligent.

141 Women's roles were defined by their ability to give birth. From the standpoint of the state, only women with medically-certified (and irreversible) infertility problems could be legitimately considered "new socialist women." Women who did not bear children were to be reprimanded.

142 As the Catholic church attempts to secure the banning of abortion, Polish women have been among the first to recognize that the transition may not make life much easier for them, at least not in the immediate future. See Fuszara 1991, Hauser 1991, Kligman 1991. In addition to Poland, abortion has become an issue for Germany as former GDR women are confronted with curtailment of this right in unified Germany. Similarly, the banning of abortion has been proposed in Hungary, Slovakia, Croatia.

143 This cautionary point has also been made in a recent report by C. Hord et. al: "Reproductive Health in Romania" Reversing the Ceausescu Legacy," *Studies in Family Planning* 22:4( 231-40), 1991.

144 I recommend L. Tribe's *Abortion: The Clash of Absolutes*, 1990.

145 For a longitudinal study on the development of children that resulted from a denied abortion, see the study by H. David et. al., *Born Unwanted: Developmental Effects of Denied Abortion*. New York: Springer Publishing Company, and Prague: Czechoslovak Medical Press, 1988.

146 This point, made by Ken Jowitt, is well-taken. The unintended consequences of prohibition were varied, among which were increased incidence of death, sickness and blindness related to the ingredients of "moonshine," and the organization of the Mafia as a result of the profits gained from bootleg practices. The parallel consequences of "underground" or illegal abortion practices have been amply documented in this report, and elsewhere.

147 See especially, J. Madison, *The Federalist Papers*, nr. 10. New York: New American Library, 1961. The tensions between majorities and minorities, and the privileges of "aristocratic" elites, debated among the "founding fathers," have come to the fore in the current anti-abortion struggle. President Bush's convenient paraphrasing of Jeffersonian principles ("all are created equal...") reflects a consistency in his retreat from the embracing of civil rights for women and minorities previously achieved. (See A. Rosenthal, "Bush and Republican Leaders Take Firm Anti-Abortion Stand" *New York Times*, January 23, 1992, pp. A1, 10.) The literalist interpretation about "creation" in this context should then apply to the omitted "men." Furthermore, the callousness voiced in the statement to ... "protect and defend it" is revealed through the inadequacies and/or lack of policies designed to protect and defend "all" children in America.

A backlash against women's and civil rights reflects the current ideological climate in the United States. Women's rights to life and liberty have been increasingly pitted against fetal rights, independent of factors such as the probability of the fetus' and/or mother's survival, infant abandonment, infant addiction, poverty, homelessness, etc. (See Faludi 1991, pp. 421-53.) It is unlikely that banning abortion will result in an American national tragedy; it will not affect the masses. However, it will disproportionately affect the poor, and racial and ethnic minorities. Such a policy then opens the question of democracy for whom.

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148 The present "gag law" is a shocking denial of the freedom of speech, and of information.

149 Here, it is worth mentioning that the population crisis with respect to the earth's resources does not support the need to encourage childbearing. Political interests, however, are unlikely to be subordinated to environmentally sound ones. China represents a case in which political interests have used the population crisis as a means to justify coercive reproductive policies (i.e. the one-child policy).

I think it is time to abandon absolutist positions on either side of the debate. All citizens have the right to make responsible decisions that accommodate the circumstances of their lives. Perhaps we must think through the implications of providing education in our schools and communities about creationism, on the one hand, and contraception and family planning, on the other.

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