

CUBA, AVOIDING IS BETTER THAN ABORTING

Interview with Juan Sebastian¹

Currently expatriated Cuban citizen

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BACKGROUND

The first country in the world to legalize abortion was the Soviet Union, known by its acronym U.S.S.R., after the Bolshevik revolution in 1917, which was carried out by the Bolshevik movement and headed by Lenin.

Leon Trotsky, another of the leaders in the revolution, sympathized with the Mensheviks. Even though Trotsky had ideological and personal disputes with the Bolshevik leader, Vladimir Lenin, he was one of the key organizers of the October Revolution, which allowed the Bolsheviks to take power in November 1917. The sentiment of the "Trotskyist, communist and social democratic left" understood abortion as one of the most significant aspects in opposition to tsarist thought, or of the systems confronting tsarism, capitalism, and conservatism.

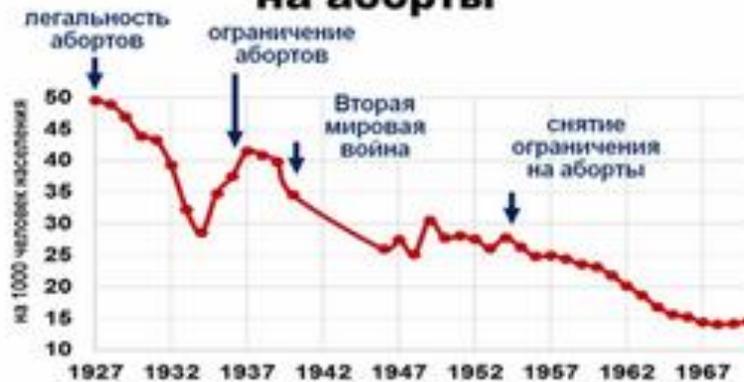
Trotsky and many Bolsheviks considered, in the early 1920s, that the family (in the context of the oppressive Russian feudal system of the time) was an archaic institution where working-class women performed forced labor from childhood until death. According to Trotsky, the birth of a child was a serious threat for many women's positions. Therefore, the revolutionary power gave women the right to an abortion which, in conditions of necessity and family oppression, was one of their more important civil rights.

This is how, during that decade, the practice spread throughout the U.S.S.R., generating great social impact, and especially forging a serious demographic problem towards the end of the twenties, as shown in the table of birth rates in the U.S.S.R. 1927-1967 below:

¹ Juan Sebastián, is a Cuban citizen. He lives today outside the island, but grew up on it, sharing daily problems with Cuban society. He requested that his name not be placed in the article in order to protect his identity and safety in view of the serious reprisals suffered by those who speak out against any provision of the Castro Regime that governs Cuba.

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Общий коэффициент рождаемости в СССР: влияние фактора запрета на аборт



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This situation put the very communist system and all its essential machinery on edge, since "according to the statistical data of 1926, in Leningrad, only 42% of the women who became pregnant decided to give birth while the rest had terminated their pregnancies⁴". This situation was replicated throughout the Soviet Union. Soon the political system understood that by following this path, the population would decrease to such an extent that they would not be able to resist any military or counterrevolutionary threat, and they would not have the human resources for industrial development, production, nor even security forces.

Given the evidence of the numbers and the impact that this would surely cause, in 1936 Stalin backtracked by prohibiting abortions⁵ except in cases where the continuation of the pregnancy was life-threatening, risked serious damage to the health of the pregnant woman, as well as when the unborn child had hereditary diseases from her parents, but these abortions only could be carried out in hospitals. This decision to change the U.S.S.R.'s abortion policy was part of a new ideological system distinct from previous Marxist thought.

It is interesting to note that while Stalin's government sought to increase the population of the Soviet Union, the government of Nazi Germany, with the same pattern of social domination, performed abortions upon any non-German, pregnant woman. Nazi Germany promoted not only abortions but strongly pushed contraceptives. Thus, it was established as a Nazi government measure that "funds for abortion and contraception must be offered publicly without political restrictions. Homosexuality must always be declared illegal. Institutions and professionals committed to abortion policies should not interfere in them⁶." Following the same spirit, the Nazi policy used all the necessary tools to inculcate the Russian population in "the idea that it was harmful to have several children⁷".

We see how the politics of domination, in constant battle, sought to interfere in the demographic indices to benefit different ideological interests. We must point out that the Russian population came

³ <https://www.larazoncomunista.com/post/la-pol%C3%ADtica-del-aborto-en-la-urss>

⁴ <https://www.larazoncomunista.com/post/la-pol%C3%ADtica-del-aborto-en-la-urss>

⁵ https://www.clarin.com/ciudades/rusos-primeros-historia-legalizacion-aborto-mundo_0_Plgt1sR90.html

⁶ <https://www.larazoncomunista.com/post/la-pol%C3%ADtica-del-aborto-en-la-urss>

⁷ Idem.

from a tsarist culture in which, at a social level, the family, women, and children were the fundamental pillar of society.

Vardan Ernestovich Baghdasaryan, Doctor of History, expert at the Center for Problem Analysis and Management Design of the Moscow Public Administration, in a 2016 presentation entitled "The Stalin experience in the increase in state birth policies: a modern understanding", established the central thesis that the implementation of abortion in Soviet Russia under Lenin, and later under Khrushchev, was rooted in the position of Leon Trotsky, a strong supporter of abortion legalization because of his desire to destroy the so-called "family home".

When Stalin decided to abolish abortion, it provoked an ideological division within the Bolshevik system. Trotsky and Lenin understood that an abortion ban was a tool that would favor the oppressive Tsarist system for which the family was a precious asset, and since the revolution went against tsarism, abortion was a good tool that should be kept. The other Bolshevik sector proclaimed that the family should be the cell of *socialist* society and therefore should be protected.

It was Trotsky himself who, from exile in 1937, harshly criticized Stalin's law against abortion. However, the strategy had positive impacts that were clearly reflected in the statistics that "*fertility rates in the USSR returned to increase significantly, even surpassing the figures of the Russian empire at the beginning of the 20th century*⁸".

To conclude this Cuban background, it is important to highlight that historians indicate that Stalin did not seek to make demographic and social impacts only with the policy against abortion but also sought to "*reinforce the nuclear role of the family in Soviet society, increase economic assistance to women at work, establish multi-family state aid, expand the network of maternity homes, nurseries and kindergartens, increase criminal penalties for non-payment of child support by parents in cases of divorce, penalize companies that refused to hire women for reasons of pregnancy, etc.*". Other sources indicate that many maternity clinics were established at this time⁹.

This situation continued until the government of Nikita Khrushchev in 1955 allowed abortion again, a policy that remained in the communist system while the U.S.S.R. lasted.

SITUATION BEFORE THE CUBAN REVOLUTION

Above we analyzed how the U.S.S.R. was a direct historical and influential antecedent of the communist policies developed in Cuba. We will now outline the changing characteristics of abortion law on the island from before the Cuban Revolution to the present, to be able to understand the development of the island's abortion policy.

Before the establishment of communism, the oldest Cuban law on abortion had been in force dating from 1870, was included in the May 1879 Penal Code by Royal Decree, and remained in force until

⁸ <https://www.larazoncomunista.com/post/la-pol%C3%ADtica-del-aborto-en-la-urss>

⁹ https://www.clarin.com/ciudades/rusos-primeros-historia-legalizacion-aborto-mundo_0_Plgt1sR90.html

1936.¹⁰ In 1936, Cuba enacted the Code of Social Defense and Complementary Criminal Law, which continued penalizing abortion, although under strict circumstances there were exceptions¹¹.

According to Article 443 of the Code, there were three situations in which the practice of abortion was exempt from criminal liability: a. an abortion necessary to save the life of the mother or to prevent serious harm to her health; b. that which is provoked or carried out with the mother's consent when the pregnancy was caused by the crime of rape, kidnapping not followed by marriage, or statutory rape being committed on the pregnant woman; and c. an abortion which is caused or carried out, with the consent of the parents, when the purpose is to prevent the transmission of a serious hereditary or contagious disease to the fetus.

It is possible to understand that the emergence of this standard is embedded in a very clear time at the global level and very effervescent at the local level. In the first place, the 19th century was a time when scientific research abounded, achieving a great impact on the development of societies, such as through the implementation of public and health policies. For example, Eduardo Soria contributed works of important influence on scientific and political thought¹², which enormously affected men of science, thinkers, philosophers, and politicians worldwide, mainly in the nineteenth century. Among them is the hereditary theory of Gregor Mendel (1822-1884) and the evolutionary theory of Charles Darwin (1809-1882), culminating in the eugenic theory of Galton. These theories were the foundation of the concept of eugenic abortion incorporated in criminal legislation at the beginning of the 20th century, for example in Argentina, Cuba, and the USSR, among other countries. Eugenic abortion proponents understood it as an act of justice to *"eliminate the sick, the deformed, the mentally impaired and the least powerful (...) thus preventing any race degeneration from multiplication of its less valuable members"*¹³.

Second, by analyzing the Code's other two grounds for non-punitive abortion, the authors help us to see the impact of the revolutionary political ideas of the time.

The most relevant influence on Cuban abortion policy has probably come from the Soviet ideological movements. The Communist Party had strong and deep roots in Cuba, especially following the triumph of the Russian Revolution¹⁴.

Cuban abortion policy may also have been influenced by the liberal sector stemming from United States political pressure. This pressure, and various historians indicate that the then-president, maintained a "double link" between capitalism and communism. There were many possible outcomes for the abortion issue, all hinging upon political agreements and compromise with prevailing antagonistic positions.

¹⁰ De la Torriente-Brau, Z. (1974). Extension of a report regarding attempted abortion. In Annals of the Academy of Medical, Physical and Natural Sciences of Havana. Analytical Index (1864-1958). Havana: Academy of Sciences of Cuba, Historical Museum of Sciences "Carlos J. Finlay", in http://scielo.sld.cu/scielo.php?script=sci_arttext&pid=S1817-40782014000200007

¹¹ <https://www.programacuba.com/en-cuba-el-aborto-legal-seguro-y-gr>

¹² <http://www.ea-journal.com/art/El-aborto-eugenico-en-codigo-penal-argentino.pdf>

¹³ Palma, H. (2002). To rule is to select. Buenos Aires: Juan Baudino Editions. In <http://www.ea-journal.com/art/El-aborto-eugenico-en-codigo-penal-argentino.pdf>

¹⁴ <https://portvitoria.com/el-apoyo-del-partido-comunista-cubano-a-castro-y-a-batista/>

SITUATION OF ABORTION IN CUBA AFTER THE CUBAN REVOLUTION

After coming into power, the Cuban regime modified the Penal Code, and among many other laws, altered the crime of abortion. Specifically, the modification expanded exceptions to punitive abortion. For this reason, it is said that the regime decriminalized abortion¹⁵ even without legalizing it, thus becoming one of the first countries to have this type of abortion policy.

To assess these different exemptions, it is enough to compare the code before and after the communist regime's intervention in criminal law. In previous paragraphs, we saw that the previous Penal Code gave three cases in which abortion was not penalized. We see specific cases, those that give rise to limited abortion, while a simple reading of the new code shows the amplitude of the exceptions following the Cuban Revolution.

The first exception permits that up to ten weeks of pregnancy, it was not necessary to give any reason to receive an abortion¹⁶. The others refer to: 1- when the abortion is carried out for profit, without the consent of the woman or in conditions that may lead to life- or health-threatening conditions. 2- If an unmarried woman under the age of 16 wishes to have an abortion, she can do so when she has the consent of her parents or legal guardian.

The Cuban Revolution was the milestone that marked a before and after on the island. Afterwards, abortion had free rein. As if this were not enough, one fact that emerged from the interview which is the basis of this article, is that it was forbidden to speak against the provisions of the regime. Due to this, abortion had no factor of opposition or awareness. To complete the scenario, the educational system has strongly supported and transmitted free, practical, and convenient access to the practice.

It is easy to understand the force of this state policy, which was in place by 1965. According to the WHO, by that time, the regulatory base was created – through non-legislative administrative decisions – so that abortion could be carried out in the framework of the National Health System¹⁷, under which it became an easily accessible practice. As Juan Sebastián confirmed in this interview, the issue of abortion was institutionalized, but it was not made law, which is why it was never taken to the popular assembly.

CONSEQUENCES OF ABORTION IN CUBA: *Avoiding is better than aborting*

Today after several years of that scheme of "decriminalization and plan of the Health System" to execute the practice efficiently, we find ourselves with a Cuba suffering from abortion. Since "we just need a sample to talk about a whole", we bring up an exemplary testimony: Yindra García, a 28-year-old Cuban woman, today is the mother of a baby she decided to have for the following reason: "*I was afraid to have another abortion.*" This is because since she was 20 years old she has had nine

¹⁵<https://www.programacuba.com/en-cuba-el-aborto-legal-seguro-y-gr>

¹⁶https://www.bbc.com/mundo/noticias/2011/03/110119_cuba_aborto_salud_lh#:~:text=En%202009%20se%20efectuaron%20en,disminuci%C3%B3n%20en%20la%20C3%BAltima%20d%C3%A9cada.&text=Pero%20desde%201989%20Cuba%20comenz%C3%B3,que%20llaman%20%22regulaci%C3%B3n%20menstrual%22

¹⁷<https://www.programacuba.com/en-cuba-el-aborto-legal-seguro-y-gr>

pregnancies followed by abortion, which generally occurred due to carelessness in the use of contraceptive methods¹⁸.

Cuban experts on the subject express that the excessive use of the abortion practice has become the cause of serious problems of various kinds: population decline, variability in terms of maternal health, infertility, etc. That is why they affirm that the practice of abortion, due to its use and abuse, seems to be getting out of hand. In the words of Dr. Sosa, in 2009, more than half of the cases of infertility in women were consequences of one or more abortions¹⁹. Juan Sebastián told us in the interview how the government has made sure that abortion is a common issue in society, but society no longer knows how to control it.

According to Dr. Sosa, the situation is so serious that it is even considered a health problem and they want to fight to reduce it. These are expressions that fully coincided with the story of Juan Sebastián, who, when talking to us about the day-to-day issues of abortion, did not spare his view that the excessive use of the practice is linked to its negative consequences in society and especially in women.

Within the experts' analysis, they refer to the important fact that women have a lack of knowledge regarding the effects of abortion. The specialists consulted by BBC Mundo, indicate that the high numbers of abortions denote that, in general, the risks that this procedure may have for the reproductive health of women are unknown.

We understand that the issue is not minor since the full understanding of a medical practice is a right of the people. We also understand the reason for this ignorance. There are many factors that cause such ignorance, and one of them is the manipulation of language that identifies and explains the abortion procedure.

Specifically, we can talk about the expression "menstrual regulation."²⁰ Although it is a name used for abortions with certain characteristics, we are also talking about an abortion procedure, but because of the name, it hardly sounds like it.

We can easily understand why a person may not know what abortion is about, if its name suggests something else, which gives the impression of something simpler and without major consequences.

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https://www.bbc.com/mundo/noticias/2011/03/110119_cuba_aborto_salud_lh#:~:text=En%202009%20se%20efectuaron%20en,disminuci%C3%B3n%20en%20la%20%C3%BAltima%20d%C3%A9cada.&text=Pero%20de%201989%20Cuba%20comenz%C3%B3,que%20llaman%20%22regulaci%C3%B3n%20menstrual%22

¹⁹ Idem.

²⁰ https://www.bbc.com/mundo/noticias/2011/03/110119_cuba_aborto_salud_lh

CONCLUSION

Finally, to conclude this initial analysis of the Cuban abortion situation, we bring out the expression of the same scientists, "avoiding is better than aborting"²¹.

After approximately 70 years of the free practice of abortion on the island, the consequences have been disastrous. Juan Sebastián explains to us that the great political support for abortion, as shown in its public policies, and its impact on social thought – not only as a result of political and social thought, but also as a consequence of the Cuban regime where, as with other issues, it was not possible to express an opinion against abortion – were the cause of frequent use and abuse of such a deep-rooted practice.

The political propaganda of the regime continues to include pro-abortion expressions, such as *"the woman had the opportunity to integrate socially and to have full professional development, therefore she decides when to have a child"* or *"the development achieved by women in society"* (BBC). Clearly, these statements have not been true. On the contrary, their fallacies and deceptions are clear. According to Juan Sebastián, since women from Cuba unfortunately have not had such development and beyond the female sector, the people's reality is that they do not even have access to food or medicine. In the towns there is only one grocery store, and the queues and the fights when standing in line are a repeated daily reality.

However, health problems have developed from "the abortion epidemic, which, although it reduces risks, does not eliminate them and in many cases even increases the consequences for women's health"²². In fact, Juan Sebastián told us of the existence of hundreds of maternal deaths due to abortion. These statistics will clearly never come to light, as they show the failure of the enacted public policy. Finally, studies and statistics prove that repeated abortion multiplies health dangers, which can even lead to infertility problems²³.

But as discussed above, health is not the only social variable affected by this abortion pandemic, since the high levels of abortion occur at a time when the Cuban population is aging. Consequently, Cuba's low demographic growth has gone to a negative one,²⁴ best described as dizzying according to Juan Sebastián²⁵. And his words are not difficult to confirm, since it is enough to return to that case of Yindra, with only one son born but nine abortions.

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https://www.bbc.com/mundo/noticias/2011/03/110119_cuba_aborto_salud_lh#:~:text=En%202009%20se%20efectuaron%20en,disminuci%C3%B3n%20en%20la%20C3%BAltima%20d%C3%A9cada.&text=Pero%20desde%201989%20Cuba%20comenz%C3%B3,que%20llaman%20%22regulaci%C3%B3n%20menstrual%22

22 http://scielo.sld.cu/scielo.php?script=sci_arttext&pid=S1817-40782014000200007

23 <https://www.programacuba.com/en-cuba-el-aborto-legal-seguro-y-gr>

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https://www.bbc.com/mundo/noticias/2011/03/110119_cuba_aborto_salud_lh#:~:text=En%202009%20se%20efectuaron%20en,disminuci%C3%B3n%20en%20la%20C3%BAltima%20d%C3%A9cada.&text=Pero%20desde%201989%20Cuba%20comenz%C3%B3,que%20llaman%20%22regulaci%C3%B3n%20menstrual%22

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<http://www.codajic.org/sites/default/files/sites/www.codajic.org/files/La%20trayectoria%20del%20aborto%20seguro%20en%20Cuba.%20Evitar%20mejor%20%20%20%20que%20Abortar.pdf>

In Cuba, where abortion proponents boast of decades of the practice, local and international analysts and professionals caution the world with their well-founded evidence against abortion. They warn us with great experience that abortion is not the way to improve maternal health nor social health. On the contrary, they suggest that other paths must be sought.