

# On the history of the ban on abortion in the USSR: the views of the authorities and Soviet public opinion from the perspective of bioethics (1935–1936)\*

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## Abstract

This article looks at the debate in the USSR in 1935–1936 on banning abortions. This episode of Soviet history has enormous heuristic potential for researchers studying the Soviet period. At first sight, the bill to ban abortions appears simply a matter of historical medical fact, based on which we can in many ways draw conclusions about the situation in healthcare in general, and in obstetrics and gynaecology in particular. However, this small-scale episode in the history of Soviet healthcare provides scope for substantial cross-disciplinary research prospects in fields such as anthropology, sociology, political science, and so on, significantly expanding the research horizons of the Soviet past. Our analysis of the abortion ban debate draws on two groups of sources. The first comprises documents of the highest Communist Party and government bodies, stored in the thematic files of the Soviet Politburo. Particular attention is paid to the notes and marginalia made by Stalin in the drafts of the law to ban abortions. Practically all the materials in this group have been officially declassified only comparatively recently, and now being studied for the first time. The second group of sources comprises letters from members of the Soviet public to the highest organs of government and to national and local periodicals. The letters present a wide range of opinions and observations on the bill to ban abortions. Comparing these two groups of sources has allowed us to become the first Russian researchers to study the development of ethical discourse, and show the history of the emergence of bioethical discourse, in the Soviet period.

## Keywords

history of medicine, bioethics, abortion ban, USSR, Stalinism, Soviet health care

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Soviet Russia was the first state in the world to legalise abortion. On 18 November 1920, the People's Commissariat for Public Health and the People's Commissariat for Justice adopted a joint resolution, "On artificial termination of pregnancy", which permitted "the termination of a pregnancy free of charge in the environment of Soviet hospitals where maximum

safety is ensured".<sup>1</sup> At the time, this was not only one of the most progressive laws, but also one of the most challenging, in that it went against the conservative principles of Russian society. It is no accident that the preamble to the resolution stated that the workers' and peasants' government was "fighting this evil" through campaigning against abortion. However, "the moral hold-overs from the past and the difficult economic conditions"<sup>2</sup> com-

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<sup>1</sup> "Code of Justice of the RSFSR", hereafter "SU", 1920. No. 90, Art. 471.

<sup>2</sup> SU, 1920. No. 90, Art. 472.

pelled the Soviet government to move towards legalising abortions. Fifteen years later, the situation had completely changed, and the Soviet government, which had given women the right to abortion, now banned them.

Both Russian and Western researchers have been interested in the history of medicine from a woman's point of view in general, as well as the history of abortion, as an element or part of state demographic policy in the USSR. Historians, demographers, sociologists and political scientists have particular attention to Stalin's move towards a conservative approach and the ban on abortions in 1936, as well as policies in this area during the war years and immediately after (Heer 1965, p. 76–83; Glass and Stolee 1987, p. 899; Solomon 1992, p. 59–82; Conze 1998, p. 293; Isupov 2000; Isupov 2002, p. 31–45; Engel 2004; Nakachi 2006, p. 26–35; Nakachi 2010, p. 201; Nakachi 2011, p. 423–440; Kaminsky 2011, p. 83–88; Lebina 2016, p. 262; Clements 2012; Kornilov 2014, p. 80–89; Palgrave Handbook... 2017), the consistency and rationale of which have yet to be analysed by researchers.

However, there has been no detailed study of the circumstances of Stalin's decision to ban abortions in 1936, and the public debate and the internal wrangling within government bodies on this issue. This article goes some way to filling this gap in the historiography. We will focus on the abortion bill, largely because it is important to study this matter of historical fact not only from a purely historical point of view, but also with the aim of analysing it as an element in a chain of historical preconditions, facilitating a deeper understanding of the social meanings in the ongoing discussion of this complex bioethical dilemma in Russian society today. In other words, the authorities saw the medical practice of performing abortions in the 1930s as part of a package of social, legal and economic measures, targeted not so much at women as at the institute of the family in general, as part of integrated state policy. At the same time, the issue of abortion and its complex ethical dilemmas give rise to an important debate in Soviet society of significance for overall research into the social history of medicine, and this paper also aims to shed light on that debate.

This article draws on two main groups of sources. This first includes materials from the highest Party bodies – the Politburo and the Apparatus of the Central Committee, which also discussed the bill to ban abortions. In total, we have identified three drafts of the bill, as well as their accompanying notes and briefing papers. Thanks to these drafts, we can not only trace how the discussion of the issue developed within the Soviet leadership, but also study the reactions of the Soviet leadership elite and its individual representatives, an important aspect of the historical narrative regarding this issue. Unfortunately, no documents recording the discussion of the abortion bill (such as shorthand reports on Politburo proceedings on the issue) are available to historians. For this rea-

son, the marginalia and notes made by Stalin on the three drafts are an invaluable source of information on the issue. The second group of sources used for this article comprises letters and feedback on the bill from members of the public. These documents are an important source on everyday life in the USSR in the 1930s. These letters also help us to see the issue in a wider social context, and to draw conclusions on the level of public awareness of abortion as a complex dilemma from a socioeconomic as well as ethical and medical point of view.

## The discourse among the authorities and Soviet policy regarding abortions

So far, we do not have precise data that might act as a starting point when it comes to the initiation of the abortion ban in the USSR in 1936. It may be assumed that one of the key documents was a memorandum from Andrei Bubnov, People's Commissar for Education of the RSFSR, dated 14 July 1934, produced in the name of Stalin, which told of “alarming symptoms in the development of preschool education in the country”.<sup>3</sup> In particular, a number of regions of the RSFSR had seen a sharp fall in the number of children attending nurseries. For example, in the first quarter of 1934 alone the number of children previously attending preschool institutions fell by almost 5,000 in Gorky (now Nizhny Novgorod) Oblast, by 31,000 in the Tatar Autonomous Soviet Socialist Republic, by 41,000 in Western Siberia, and by almost 42,000 in the mid-Volga region.<sup>4</sup>

Bubnov did not give reasons for this decline, although by 1934 they were obvious: collectivisation and the resulting famine had led to a demographic catastrophe. For example, in just over ten years (between the censuses of 1926 and 1939), the population of the RSFSR fell by almost 5 million (Zhiromskaya 2018, p. 69). In 1933, according to Soviet statistics, the country recorded negative natural population growth for the first time the famine year of 1921. With the famine came high incidences of infectious diseases, particularly “childhood” infections – diphtheria, scarlet fever, measles, whooping cough and other illnesses representing a serious danger to children in the country (Isupov 2018, p. 145).

The authorities attempted to address the demographic problems through material incentives. For example, on 9 April 1935, the Politburo ratified a resolution “On the procedure for calculating kolkhoz<sup>5</sup>

<sup>3</sup> Russian State Archive of Socio-Political History (RGASPI). F. 558, op. 11, d. 712, l. 11.

<sup>4</sup> RGASPI. F. 558, op. 11, d. 712, l. 12.

<sup>5</sup> Kolkhoz is a form of collective farm in the Soviet Union.

payments for a period before and after childbirth” through a straw poll of its members.<sup>6</sup> This exempted women from work in *kolkhozes* and *sovkhozes*<sup>7</sup> for a month before and a month after childbirth, for which they would be paid the equivalent of half their pay for the average number of labour days worked by them. In other words, for the two months of “maternity leave” a peasant woman would be paid for approximately 20 labour days on average. A few months later, the Soviet government introduced regulations governing nurseries and crèches nationwide (*Sobranie postanovleniy...*, p. 268). In particular, all nurseries and crèches of urban enterprises and *sovkhozes* were placed under the remit of the People’s Commissariats for Education of the Soviet republics and local education authorities. Rules were established for how long children should be at nurseries (no more than 9 hours a day), and for what proportion of their maintenance costs should be paid for by parents (no more than 35 percent). The allocation of nursery places was now regulated by trade unions and local education authorities. However, these steps were not enough even to stabilise the demographic situation in the country; measures more decisive were required. On 9 March 1936, the Politburo adopted a resolution to set up a commission to develop a law on banning abortions, assisting new mothers, and expanding the network of children’s crèches and children’s homes.<sup>8</sup> This commission consisted of Nikolai Krylenko, People’s Commissar for Justice of the RSFSR, (the chairman), Andrey Vyshinsky, Procurator General of the USSR, Yakov Yakovlev, Head of the Agricultural Department of the Central Committee of the All-Union Communist Party (Bolsheviks), Hryhoriy Hryenko, People’s Commissar for Finance of the USSR, Nikolay Shvernik, First Secretary of the All-Union Central Council of Trade Unions, Gavriil Veinberg, Secretary of the All-Union Central Council of Trade Unions, Nadezhda Krupskaya, Deputy People’s Commissar for Education, Aleksandra Artyukhina, Chair of the Central Committee of the Trade Union for the Cotton Industry, Maria Shubarova, a designated employee of the All-Union Central Council of Trade Unions, Mikhail Kaganovich, Head of the Main Directorate for the Aviation Industry of the People’s Commissariat for Heavy Industry, A. P. Vasileva, Chair of the Moscow Oblast Supervisory Board, Grigory Kaminsky, People’s Commissar for Public Health of the RSFSR, Andrei Bubnov, People’s Commissar for Education of the RSFSR, and Aleksandr Kosarev, General Secretary of the Central Committee All-Union Leninist Young Communist League.<sup>9</sup>

<sup>6</sup> RGASPI. F. 17, op. 3, d. 962, l. 167.

<sup>7</sup> *Sovkhoz* is a Soviet farm.

<sup>8</sup> RGASPI. F. 17, op. 3, d. 975, l. 11.

<sup>9</sup> RGASPI. F. 17, op. 3, d. 975, l. 11.

The bill’s first draft was distributed to all members and candidates for membership of the Politburo on 4 August 1935.<sup>10</sup> The bill was submitted along with a note from People’s Commissar for Justice Nikolai Krylenko detailing the implementation plans for particular statutory provisions. Although the main focus of the bill was a ban on abortions in the USSR, far less space was given to the ban itself than to, for example, expanding the network of nurseries and crèches. Krylenko described the main idea behind the bill as follows: “The main emphasis of the law is not on the ban on abortions and its rationale, but on measures associated with providing assistance, as the very name of the law indicates, to women giving birth and their children”.<sup>11</sup> In fact, the Soviet authorities, represented by Krylenko, proposed addressing the country’s demographic problem through providing material support to people. To this end, it was proposed that further state resources be reallocated through social insurance funds and the two-percent in-kind and monetary fund established to assist orphan children and the disabled.<sup>12</sup>

From the drafts we have of the bill, the most important proposals in terms of reconstructing the history of Soviet medicine with regard to its bioethical aspects were included in the third version of the document, as well as in the accompanying notes to the bill, signed by Krylenko and Kaminsky. For example, it was proposed that abortions be permitted not only in cases where the pregnancy directly threatened the woman’s life, but also when, for social, work-related or domestic reasons, the pregnant woman could not ensure appropriate care for the newborn child. Such permissions would be given by special commissions under regional and city healthcare departments, which, besides doctors, would include community representatives (of Party, Komsomol, trade unions and other organisations).<sup>13</sup> This proposal may to an extent be said to anticipate the idea of bioethical commissions, but it was not supported by Stalin. In the margins of the accompanying notes, he wrote: “Ha-ha-ha. Wrong”.<sup>14</sup> Stalin’s marginalia significantly add to our understanding of the Soviet leadership’s level of ethical thinking. For example, realising that the law might provoke a certain degree of protest from the Soviet public, Stalin crossed out a phrase in the bill’s

<sup>10</sup> RGASPI. F. 17, op. 3, d. 980, l. 28.

<sup>11</sup> RGASPI. F. 17, op. 3, d. 980, l. 33.

<sup>12</sup> At the same time, Krylenko’s proposals were influenced by the Party’s repressive policies. For example, assistance for women from individual (non-collective) farms was not contemplated, since “1) they do not buy milk for their children, but get it from their cows, 2) they have not belonged to bodies (mutual aid funds) and there are no grounds for making *kolkhozes* look after female non-members” (RGASPI. F. 17, op. 3, d. 980, l. 34).

<sup>13</sup> RGASPI. F. 17, op. 3, d. 977, l. 18.

<sup>14</sup> RGASPI. F. 17, op. 3, d. 977, l. 18.

very first draft stating that the abortion ban arises from “an approved initiative from women”.<sup>15</sup> In the first and second drafts, the Soviet leader underlined wording stating that the bill was being adopted, *inter alia*, “in light of the proven harmfulness of abortions”.<sup>16</sup>

The amendments in the bill’s second draft are telling. Stalin, in editing the proposals on punishments for doctors, replaced the words “deprivation of freedom” with “a prison sentence”, and suggested that women deciding to have a repeat illegal abortion be subject to “a 3-month penal sanction” rather than a fine of 300 rubles.<sup>17</sup> Sometimes, Stalin’s marginalia turn into a kind of dialogue with the bill’s developers. For example, when Krylenko proposed making the improved benefits also available to families with a large number of children who had the relevant number of children at the time the law was adopted, Stalin wrote: “This is probably right!”. When, however, the People’s Commissar put forward an initiative for widows with a large number of children to be given separate assistance, and families with a large number of children to be provided with housing allowances, Stalin wrote a categorical “No”. At the same time, he supported the proposal to allow kolkhoz residents with a large number of children to have two cows on their personal plot.

Importantly, none of the Soviet leaders working on the bill wrote anything on the rights of women themselves. In this regard, it is notable that the preamble to the bill, which notes that, in adopting the law, the state was acting in response to “the numerous assertions from workers on the harm done by abortions, for the purposes of protecting the health of working women and approving their initiative”. It was also emphasised there that the Soviet woman had the “great and responsibility-laden obligation of giving birth to and bringing up citizens of our country”.<sup>18</sup> To underline the law’s authority, it even included words from Lenin, in which the leader of the global proletariat spoke out indirectly

against abortions. Another argument in favour of banning abortions was that doing so would help to destroy capitalism and improve the material well-being of the Soviet people. The impersonal nature of these arguments, with almost no medical and social analysis of the actual situation for women and families with children, ignored the ethical aspect of the debate. Generally speaking, this was practically impossible in the difficult living conditions in the USSR. The main debates among the authorities focused on the economics, with Krylenko arguing against representatives of government bodies (the People’s Commissariat for Finance, the People’s Commissariat for Education and the People’s Commissariat for Public Health). The People’s Commissar for Justice proposed a severalfold increase in material assistance to pregnant women and mothers. The ministries, however, sought to reduce it, claiming that the state could not finance such large-scale projects. For example, Krylenko proposed increasing the number of beds for pregnant women<sup>19</sup> (to 6,500 for those in urban areas and 20,000 for those in rural areas), commissioning almost 5 million new crèche places, and doubling the number of nursery places within two years.<sup>20</sup> Unsurprisingly, the authorities opposed this initiative, believing that the state did not have the resources for such grand projects, and that the timescale was unrealistic.

## Suggestions and opinions from the Soviet public

In fact, it should be acknowledged that the government recognised that adopting such a law would be difficult without extensive discussion. Accordingly, a “national discussion of the bill” was launched in May 1936, in which members of the public sent letters and feedback to the highest Party and state authorities, as well as national and local periodicals. There were so many of them that on 3 June 1936 Boris Tal, Head of the Department of the Press and Publishing Houses of the Central Committee of the All-Union Communist Party (Bolsheviks), sent Stalin a memorandum proposing an end to the public discussion.<sup>21</sup> The press needed to begin a public discussion of a draft new constitution for the USSR, but the abortion bill was of far greater interest to the public and much livelier. Consequently, Tal believed that the press needed to announce as soon as possible that the Central Executive Committee of the USSR had established an authoritative commission to

<sup>15</sup> RGASPI. F. 17, op. 3, d. 980, l. 16.

<sup>16</sup> RGASPI. F. 17, op. 3, d. 980, l. 19. Interestingly, none of the documents that reached Stalin’s desk contained any evidence for the ‘harmfulness’ of abortions to a woman’s health. Only Krylenko’s accompanying notes to the second draft was it stated that there had been 155,000 abortions compared to 70,000 births in Moscow in 1935. To this, the People’s Commissar for Justice added then and there: “In light of these figures, the need to restrict abortions needs no argument” (RGASPI. F. 17, op. 3, d. 977, l. 29). In the very next paragraph, however, the People’s Commissar noted that the said figures were being actively used in public awareness work, particularly in rural communities. As such, the Soviet leaders either did not have exact data on the “proven harmfulness” of abortions, or believed that it was not the most important criterion in terms of banning abortions.

<sup>17</sup> However, this proposal was not included in the final version of the law.

<sup>18</sup> RGASPI. F. 17, op. 3, d. 979, l. 39. Interestingly, these provisions did not appear in the published text of the law.

<sup>19</sup> By 1935, there were 28,000 beds in cities and major industrial centres, enough for roughly 70 percent of potential new mothers. In Soviet villages, there were enough maternity beds in rural hospitals for no more than 9 percent of potential new mothers.

<sup>20</sup> RGASPI. F. 558, op. 11, d. 782, l. 18; RGASPI. F. 17, op. 3, d. 979, l. 32.

<sup>21</sup> RGASPI. F. 558, op. 11, d. 782, l. 114.

analyse all the suggestions on the bill – in other words, to put an end to the public discussion of the abortion question.

Interestingly, only a small proportion of the huge volume of letters contained assessments categorically either in favour of an explicit ban on abortions or just as decisively against one.<sup>22</sup> For example, of the almost 9,000 letters received by the newspaper *Pravda* in less than a month (from 27 May to 16 June), just 589 opposed a ban, while 593 supported one. The majority favoured partial legalisation of abortion, but with a general ban. Much work remains to be done on these letters, as it generally falls outside the scope of this article and undoubtedly requires separate research. Nevertheless, we will quote from some of them as they provide a vivid illustration of what life was actually like for Soviet families in the 1930s.

Typically, those opposing a ban on abortions in any form were women from industrial cities, and representatives of the new Soviet intelligentsia espousing feminist views. For example, L.S. Mikhailidi (a physical education teacher and the wife of a commander in the Black Sea fleet) stated: “I object to a direct ban on abortions... After all, if abortions are banned, that means enslaving I’m not saying all, but some women with eternal swaddling clothes and fussing after babies, and tearing them away for good from the outside world”, while Margit Reich, who went on to become a well-known artist, wrote: “Childbearing is a right, not a compulsory obligation of women”.

The supporters of a total ban on abortion tended to be from rural communities (“We’re not townees: we’re not afraid to give birth,” wrote one anonymous female kolkhoz resident), which to a large extent reflected the conservatism of the Soviet village. However, this was not always the case: There were also those from rural areas who opposed a ban. For example, a woman living in Demchenko Kolkhoz, in Kharkiv Oblast, wrote: “It is not right to ban abortions: I have three children, and I do not want to give birth again”. The main ideological focus of the writers supporting a ban on abortion was simple: the need to bring up children for the socialist motherland. For example, in a letter published in the newspaper *Proletarii Chernomoria* (“Proletarian of the Black Sea”) a certain N. Korina wrote: “No, if there is to be a ban, it should be for everyone, without exception. Otherwise, people will always find a loophole; they will go from one commission to another and beg. Let everyone give birth. Our children have a good protector: the proletarian state”.

Those proposing a total ban on abortion advocated stronger punishments both for doctors performing

abortions and for women choosing to have them. Individual letters include proposals to increase the prison term for doctors to five years (instead of the two proposed in the bill), and for amateur physicians (wise women and midwives) to be liable to up to eight years in prison. Women performing an abortion for the first time were to be incarcerated up to a year, with an entry being made in their passport for each abortion performed.

We, however, are most interested in the largest group of letters, which proposed that abortion be partially legalised. More often than not, the letters and feedback gave multiple arguments in favour of retaining the practice of abortion at least for certain categories of women.

Improving material and living conditions for people in the country, particularly families with many children, was a topic raised by many of the letter writers. For example, A. I. Livinova (the wife of a re-enlisted sailor in the Red Navy from Kronstadt) wrote to *Pravda*: “I currently have a child, and I work myself. And I think that if I have the means, I will be able to give birth again, but if I do not have the means, I will need to have an abortion. If they ban abortions, we, women, will end up doing them by our own means”. An engineer called Denisov, from Sevastopol, agreed with her: “What on earth are parents with 5–6 children to look after to do? One clearly cannot feed and clothe such a family on a wage of 100-150 rubles”.

The letters propose that the housing question be addressed quickly, in particular that families with many children be provided with flats as a top priority. For example, a certain Olga Kreush wrote: “The need to be permanently in a state of pregnancy forces one to be out of action for at least 6 months every year. Having lots of children is basically not possible in cramped urban conditions”. The letter writers suggested that abortions be permitted for certain categories of women: single women, women in low-paid jobs, women without housing space, divorcees, and women studying. The letters include suggestions on assistance for mothers after childbirth: on assistance for children being given artificial feeding on extending the baby-feeding break for mothers working at a factory and living far from their work, and on banning women from working on a night shift until their child reached the age of 9 months.

The letter writers proposed the partial legalisation of abortions on medical grounds. Abortions would be permitted if one of the parents had serious hereditary and venereal diseases, for mothers during lactation, and for women over the age of 35. For example, a certain Ms. Zadimorova, from Moscow, shared the following proposals: “If a woman has got pregnant for the first time, an abortion should not be permitted, since the most harmful abortion is the first”. A significant number of the letters focused on the need to develop the contraceptives industry, and, most importantly, to im-

<sup>22</sup> Here and below, we have taken into account letters and feedback published in the newspapers *Pravda* (“Truth”), *Izvestiya* (“News”), *Sotsialisticheskoe zemledelie* (“Socialist Agriculture”), *Literaturnaya gazeta* (“Literary Newspaper”), and so on.

prove their quality. Many writers supported the idea of establishing an extensive network of specialist women's health centres.

Some letters raised the issue of criminality, specifically the writers' fears that a ban would lead to a huge increase in the number of illegal abortions and self-administered abortions. For example, the Volkhov family from Odessa wrote: "The majority of those who have abortions are undoubtedly aware of their harm. And if they resort to them anyway, they do so on the basis of the principle that one should choose the least of all evils... A ban today will only increase illegal abortions and harm women even more." A few letters stated that an abortion was necessary if "some lowlife has violated" the woman.

The commission members engaged in drafting the abortion bill reviewed the public's suggestions carefully. Ultimately, the final version of the law included around 60 amendments based on analysis of the letters and feedback. On 27 June 1936, the Politburo ratified a resolution "On the results of the discussion of the bill on the prohibition of abortions". The Central Executive Committee and Council of People's Commissars were recommended to accept the changes "made the public in the national discussion of the draft resolution of the Central Executive Committee and Council of People's Commissars of the USSR on the prohibition of abortions", and to publish the law itself on 28 June.<sup>23</sup> The next day, practically all the national newspapers published a resolution of the Central Executive Committee and Council of People's Commissars of the USSR "On the prohibition of abortions, increase of material assistance to new mothers, establishment of state assistance to mothers with many children, expansion of the network of maternity hospitals, children's crèches and nurseries, increase of the criminal sanctions for failure to pay child support and on certain changes in the legislation on divorce". The law banning abortions in the USSR took effect.

## Public Commissar Kaminsky

It is worth noting that the final version of the law included a brief provision permitting abortions on medical grounds: "To permit the performance of abortions solely in cases where continuation of the pregnancy poses a threat to life or threatens serious damage to the health of the pregnant woman, as well as if the parents have serious hereditary diseases, and only in the environment of [general] hospitals and maternity hospitals".<sup>24</sup> Additional regulations needed to be developed for this provision in order to define which illnesses qualified as threatening to woman's life and health. Grigory

Kaminsky, People's Commissar for Public Health of the RSFSR, was tasked with compiling such a list.

Kaminsky submitted the first version of the list to Stalin and Vyacheslav Molotov on 17 July 1936.<sup>25</sup> Its development had involved not only bureaucrats from the People's Commissariat for Public Health, but also prominent Soviet health professionals. This list mainly repeated the "List of unconditional medical grounds for abortion" already published in 1932. The new list, however, was considerably more extensive indicating that the Soviet medical community, led by the People's Commissar, had come to favour partially legalising abortions.

Kaminsky proposed that each individual case of surgical termination of pregnancy be decided by a council of physicians. Such councils at each women's health centre would consist of three specialists: an obstetrician/gynaecologist, a general practitioner, and a doctor whose specialist field included the illness being established. The People's Commissar proposed establishing them at each women's health centre (no more than two in each city and in each regional centre). In the event of a difference in opinion between the council members, the case would be referred to special commissions under oblast or krai departments of healthcare. The draft People's Commissariat order proposed that all abortions would be performed free of charge.<sup>26</sup>

Kaminsky's proposals, and particularly the list of diseases, were strongly criticised by Stalin, as can be seen by his notes in the documents. For example, in the People's Commissar's accompanying notes the Soviet leader wrote: "One can only marvel at the effrontery of the authors of this draft, who are in effect revoking the decree against abortions I. Stalin", while on the list itself he asked: "Are these diseases really hereditary? Or do they really all threaten the life of the new mother?"<sup>27</sup>

It is indeed the case that the Soviet leadership considered the list of illnesses unpardonably long: it included 16 groups of illnesses. In our view, it is worth including this list here, as it is an excellent illustration of medical thinking in the Soviet period in the 1930s from the perspective, using modern terminology, of the bioethical dilemma of abortion. The list, then, was as follows: 1) cardiovascular diseases (endocarditides, heart defects with features of circulatory disorders, lesions of the heart accompanied by stable arrhythmia, severe and persistent changes in the blood vessels, angina, persistent hypertension independent of pregnancy); 2) diseases of the kidneys and urinary tract (persistent forms of inflammatory, degenerative and sclerotic changes in the kidneys, acute nephritides and pyelonephritides, bilateral nephrolithiasis, ureteral or

<sup>23</sup> RGASPI. F. 17, op. 3, d. 978, l. 2.

<sup>24</sup> Pravda. 1936. 29 June.

<sup>25</sup> RGASPI. F. 558, op. 11, d. 896, l. 35.

<sup>26</sup> RGASPI. F. 558, op. 11, d. 896, l. 38. Here and below, the specific features of the text formatting (the underlining) have been retained.

<sup>27</sup> RGASPI. F. 558, op. 11, d. 896, l. 31.

bladder stones accompanied by inflammatory phenomena, cystic lesions of the kidneys, chronic ulcerative cystitis, having the only kidney); 3) respiratory diseases (asthma, lung abscess and gonorrhoea, pulmonary actinomycosis and echinococcus, all forms of tuberculosis, chest deformity); 4) liver diseases (cirrhosis, liver abscess and gonorrhoea, cholelithiasis complicated by infection, chronic inflammations of the gallbladder); 5) gastrointestinal diseases involving atrophy and constriction of the digestive system; 6) endocrine diseases (Graves' disease, myxoedema, diabetes mellitus, Addison's disease, acromegaly, osteomalacia, tetany); 7) diseases of the haematopoietic organs (malignant hypovolaemia, leukaemia, Hodgkin's lymphoma, bleeding diathesis, haemolytic jaundice, persistent forms of splenomegaly (Banti's syndrome and Gaucher's disease); 8) chronic forms of malaria; 9) malignant growths in any organs; 10) diseases of the nervous system (spinal paralyses, cerebral syphilis, tabes dorsalis, multiple sclerosis and disseminated encephalomyelitis, syringomyelia, cerebral palsies, epidemic encephalitis, chorea gravidarum, brain tumours, polyneuritides, progressive muscular atrophy, congenital lesions of the central nervous system; 11) syphilitic diseases; 12) diseases of the sense organs (optic neuritis, retinitis and retinal detachment, retinal haemorrhage, corneal lesion with characteristic melting, posterior staphylococci with changes in the uvea and retina, chronic bilateral iridocyclitis, atherosclerosis, chronic cochlear neuritides, labyrinthopathy with phenomena associated with decompensation of the vestibular system); 13) mental disorders (manifest maternal mental health disorders, schizophrenia, genuine epilepsy, presenile arteriosclerotic psychoses, general paresis, alcoholic psychosis, serious cases of substance dependence, presenile atherosclerotic psychoses, manic depressive psychoses); 14) osteoarticular diseases (severe forms of scoliosis and ankylosing spondylitis, irreducible forms of congenital dislocation, significant deformity of the hip joint, absence of a limb); 15) genital conditions (contraction of the pelvis, significant cicatricial changes in the vagina, undergoing surgery for urogenital fistulas, hyperemesis gravidarum, intrauterine adhesions, lactation in the first 9 months of pregnancy); 16) hereditary diseases (deaf-mutism, congenital blindness, abnormalities of the limbs impeding the [sufferer's] capacity for work, haemophilia, idiocy, genuine epilepsy, schizophrenia, manifest circular insanity).<sup>28</sup>

At the end of August 1936, Kaminsky, by then People's Commissar for Public Health of the USSR, submitted to Stalin a new "List of medical grounds for an operation to artificially terminate a pregnancy (abortion)", as well as a draft resolution of the Council of People's Commissars of the USSR "On the procedure for permitting the termination of pregnancy on medi-

cal grounds".<sup>29</sup> This time, Kaminsky had significantly revised the original draft, cutting it down by a third. As the People's Commissar himself wrote, "The list retains only such illnesses that in the opinion of all prominent specialists are unquestionably an impediment to the normal conclusion of the pregnancy and unquestionably threaten the life or serious damage to the health of the pregnant woman".<sup>30</sup>

However, a straw poll of the members of the Politburo on 1 September 1936 rejected Kaminsky's draft, recommending that he "reduce the list of medical grounds as much as possible in light of an exchange of opinions in the Politburo".<sup>31</sup> Just a month later, on 11 October 1936, the members of the Politburo adopted a resolution "On the procedure for permitting abortions" and confirmed the list of diseases for which surgery to artificially terminate a pregnancy was permitted. The new list was shorter than the original, and included 15 types of diseases: 1) serious and severe organic lesions of the heart and the blood vessels (endocarditides with anatomical lesions of the heart valves, anatomical lesions of the heart valves, and lesions of the heart muscle with phenomena of circulatory failure, persistent hypertension; 2) persistent forms of inflammatory, degenerative and sclerotic changes in the kidneys impeding their functions; 3) occult bilateral nephrolithiasis; 4) active forms of pulmonary tuberculosis, as well as latent tubercular changes in the lungs and pleurae; 5) tuberculosis of the urinary tract, peritoneum, gastrointestinal tract, bones, joints and larynx; 6) chronic parenchymal lesions of the liver with pronounced disruption to its function; 7) Graves' disease with pronounced cardiovascular failure or persistent toxicoses; 8) malignant hypovolaemia and malignant anaemia in pregnancy; 9) leukaemia; 10) malignant tumours; 11) epilepsy; 12) retinitides or optic neuritides; 13) serious diseases of the cornea; 14) contraction of the pelvis to 7 ½ centimetres or less; 15) hereditary diseases of one of the parents (haemophilia, idiocy, genuine epilepsy, severe forms of schizophrenia and manic depressive psychosis, congenital blindness and deaf-mutism, congenital ataxia).<sup>32</sup>

Apart from the list of illnesses, the regulation "On the procedure for permitting termination of a pregnancy (abortion) on medical grounds", which contained important ideas relating to medical ethics and deontology, was also ratified. This established quite strict conditions for doctors. For example, it stipulated that "a Soviet doctor must keep firmly in mind that an abortion is not only harmful to a woman's health, but is also a serious social evil, which it is the duty of every upstanding citizen, and most of all medical workers, to fight", while "the consci-

<sup>28</sup> RGASPI. F. 558, op. 11, d. 896, l. 37.

<sup>29</sup> RGASPI. F. 558, op. 11, d. 897, l. 43.

<sup>30</sup> RGASPI. F. 558, op. 11, d. 897, l. 44.

<sup>31</sup> RGASPI. F. 17, op. 3, d. 981, l. 4.

<sup>32</sup> RGASPI. F. 17, op. 3, d. 981, l. 6.

entious Soviet doctor in their practice must not permit the slightest deviation from the basic rule, set out in the law of 27/IV this year, that abortion is permitted only as an exception". It also stated that "any arbitrary interpretation of these grounds, any expansion of them is strictly prohibited", and "a doctor who fails to apply the established grounds sufficiently strictly and conscientiously, let alone directly violates them, can expect the criminal sanctions established by law".<sup>33</sup> Criminal sanctions were also established for members of medical commissions establishing in each individual case the illness providing grounds for permitting an abortion. Finally, administrative sanctions for the commission members' actions were established local healthcare department heads and the Public Commissars of the Soviet republics. Another way in which the procedure was made harder was that abortions began to be charged for.

As such, the attempt by the medical community and People's Commissar for Public Health Kaminsky to expand the list of medical grounds for performing abortions was unsuccessful. Not until 1951 did the Soviet Council of Ministers adopt a resolution "On the procedure for permitting an abortion on medical grounds", which significantly expanded the list of diseases providing grounds for performing an operation to artificially terminate a pregnancy. This resolution included practically all the diseases in the first list compiled by Kaminsky, who by then had been declared an enemy of the people and shot dead. The rules for performing abortions were also greatly simplified, but it was not until 1954 that performing abortions was decriminalised, while a year later the Soviet Praesidium ratified the decree of the Presidium of the Supreme Soviet of the USSR "On the revocation of the prohibition on abortions". Thus ended a period of almost twenty years when abortions were banned in the USSR.

## Conclusions

In 1937, Aaron Soltz, a well-known Soviet public figure informally known as the "conscience of the Party", wrote in the newspaper *Trud*: "We need people. Abortions, which destroy life, are unacceptable in our country. A Soviet woman has the same rights as a man, but

<sup>33</sup> RGASPI. F. 17, op. 3, d. 981, l. 11.

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this does not exempt her from the great and honourable duty imposed on her by nature: she is a mother; she gives life. And this is assuredly not a personal matter, but a matter of great social importance" (quoted in: Denisov and Sakevich 2014, p. 188). Soltz was in effect conveying the government's position not only with regard to abortion policy, but also, more widely, with regard to its attempts to control the human body and a person's individuality and value. In fact, the Soviet government's position mirrored developments in other countries. For example, Germany had criminalised the artificial termination of pregnancy back in 1872, while during World War I and right up until the end of World War II contraceptive advertising was banned and the abortion law was made tougher. In 1923, France criminalised the performance of abortions by doctors, and Italy did likewise, establishing a maximum prison term of five years for anyone performing an abortion. Between the wars, abortions were illegal in various countries (Khoffmann 2018, p. 184).

We, however, are interested in the Soviet example, not only because the bill to ban abortions was a clear matter of historical medical fact, based on which we can in many ways draw conclusions on the state of affairs of healthcare in general, and in obstetrics and gynaecology in particular. The bill and its discussion engendered a particular bioethical debate, both among the authorities and in Soviet society. In this debate, the views of the authorities and the public were remarkably similar. Both put forward socioeconomic arguments for an abortion ban. For example, the authorities believed that to compensate for an abortion ban they would need to provide new maternity hospitals, children's crèches and nurseries, to increase grants to families with many children, and to make divorce more affordable. Meanwhile, the Soviet public held similar views, believing that the authorities needed to support the poor and to improve standards of healthcare. Almost no one, not even in the professional medical community, raised the issue of a woman's right to choose and control over her own body.

At the same time, the debate over the abortion ban in the mid-1930s, despite its complexity and internal contradictions, allows us to see how ethical and bioethical discourse developed in Soviet society. Through the example of this issue, we can perform a more detailed analysis show the history of the body, as well as the limits of control over the individual in the USSR.

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