South Africa Adopts a Liberal Abortion Law

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South Africa's new abortion law passed its final legislative hurdle today, clearing the way for President Nelson Mandela to replace one of the world's toughest abortion laws with one of the most liberal.

The Choice on Termination of Pregnancy Bill was approved by 49 votes to 21 in the Senate. Twenty senators were not present for the vote, including a number from the governing African National Congress, which insisted that its members should support the bill or stay away. The white separatist Freedom Front, the National Party and the Inkatha Freedom Party opposed the measure.

Doctors for Life, an organization which lobbied strongly against the bill, immediately announced it would appeal to the Constitutional Court.

Health Minister Nkosazana Zuma said last week that it could be several months before the Health Department will be able to put the new law into effect.

The bill will cancel an existing law allowing abortion only in the case of rape, incest or immediate danger to the mother's mental or physical health. Under the new law, women and girls will be entitled to a state-financed abortion on demand during the first 12 weeks of pregnancy if they have no private medical insurance, and, subject to widely defined conditions, for a further eight weeks.

Despite strong protest by opposition parties and interest groups, the law gives children the sole right to decide whether to have an abortion.

Doctors and midwives have to advise a minor to consult her parents -- but the law specifically states that the abortion will not be denied if the minor refuses to inform her parents.