

South African women needing to abandon their babies don't have safe options: This must change

July 21 2021, by Whitney Rosenberg



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In South Africa it is [against the law](#) to abandon a child—specifically an infant, in such a way that the baby is likely to die. But people are rarely

prosecuted for this crime. This is usually because the perpetrator—often the mother—cannot be located. When found, individuals are usually charged with [murder](#).

Quantifying the number of infants who die as a result of [abandonment](#) proves challenging, this according to a [National Child Homicide Study](#) that found it difficult to distinguish between the different causes of death during infancy. This study found that, in 2009, more than half of the [454 under-five victims of child homicide](#) in the country were killed in the [first month of life](#). Abandonment accounted for 84.9% of these deaths.

Babies are commonly abandoned in places such as open fields, dustbins and pit latrines. It is this type of exposure that leads to their deaths.

The National Adoption Coalition of South Africa [estimated](#) that, in 2010, 3,500 [babies](#) were abandoned unsafely. In 2020, out of a total of 83 infants found unsafely abandoned, only 34 were found alive and the other 49 were found dead. These are from cases that were reported in the news; the majority of cases go unreported. These numbers may seem significantly lower than those in 2010 but it must be borne in mind that in 2010 a study was done to determine the rate of infant abandonment. Currently in South Africa, no official statistics on the rate of infant abandonment exist. More recently, in 2021, through an informal gathering of news reports between the months of January and July, a total of 43 infants were unsafely abandoned and only 23 of them were found alive.

My doctoral [research](#) looked at the need for "baby savers"—safe places to leave babies—and for laws supporting them to be implemented in South Africa. What my research illustrates is that the current South African laws punish the crime of abandonment, but the law fails to provide a safe alternative that will prevent the act. Laws that encourage

prevention will save the lives of infants.

Why babies are abandoned

There are a number of [causes of child abandonment](#) in South Africa. These include restrictive legislation, poverty, high levels of violence including rape, extreme [gender inequality](#) and diminishing family support.

South Africa does not provide safe alternatives for desperate [mothers](#) who see no other option but to unsafely abandon a baby. Placing a baby for adoption is one such example. The [law requires](#) that both the mother and the father give their permission. If the mother is a minor, under the age of 18, she would need the consent of her own parents or guardian to give her child up for adoption.

What I propose is the legalization of safe relinquishment with the continued prosecution for unsafe abandonment. Giving mothers more options rather than fewer will justify a prosecution for abandonment if done unsafely. These laws will require a national advertising campaign to create awareness of the locations of safe places to leave babies. It will also guarantee mothers that their identities will remain anonymous upon safely relinquishing their infants.

Baby savers around the world

So what is a baby saver? It is also referred to as a baby safe, baby box and the *babyklappen* (in Germany). The saver allows a mother or relinquishing person to anonymously and safely leave an infant in a box-like structure built in to a wall. An alarm is triggered when the infant is placed inside and emergency medical teams or first responders are immediately notified. The infant is collected and taken to a place of

safety.

Currently there are 35 organizations that have actively introduced baby savers in South Africa. The first was the Door of Hope Children's Mission, established in 1999 despite the absence of legal backing. To date 240 babies have been saved through this facility.

These organizations provide a space for mothers to safely give up their babies. Babies found after surviving unsafe abandonment are also brought to these organizations. But without legalization the areas in which these savers are located are not widely publicized. This limits the access desperate mothers have to them and this also impedes the establishment of further savers in South Africa.

Unsafe infant abandonment is not unique to South Africa. Many countries around the world face this harsh reality, but some have developed alternatives. They may do it in different ways but they all aim to safeguard the child's right to life.

The first legalization of the use of a baby saver was through the Baby Moses law enacted in [Texas in 1999](#) after a spate of unsafe abandonments state-wide left 33 abandoned infants dead out of a total of 105. This was closely followed by [Germany](#), which implemented the use of the *babyklappen* in 2000. Between 2001 and 2007, 143 [infants](#) were safely relinquished in these safes.

In January 2019, Namibia became the only African country to introduce [baby safe haven laws](#).

Making a change

Now, activists and other organizations are [petitioning](#) for baby savers to be legalized in South Africa.

We are advocating for the amendment of the Children's Act 38 of 2005, for baby savers to be included and recognized as a safe alternative if used in the manner prescribed by our proposals. Importantly, we believe that baby savers should act as a last resort to assist mothers where counseling was unsuccessful or unobtainable.

Changing the law will encourage more baby savers to be opened in areas where infant abandonment is at its worst. It will also allow these savers to be publicly advertised to reach more mothers in need.

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