CHAPTER 17
International and Comparative

Europe

Legal issues relating to pregnancy and infants throughout Europe are as complex and wide-ranging as problems in the United States. Widespread child abandonment has correlated with economic despair throughout Europe. Abandonment is discussed in Chapter 5 and Chapter 12. Child abandonment in Greece has crested due to economic hardship (Caras-sava, 2014). It mirrors abandonment in Romania during the 1980s, as parents abandon newborns wrapped inside pillowcases, cardboard boxes, and towels at orphanages, hospitals, clinics, and charities. Some estimates describe spikes in abandonment as being between 300 and 1,000 percent.

England's Infanticide Law, discussed in Chapter 15, led other nations to consider the relevance of psychological disorders to postpartum manslaughter of child victims. Yet, infanticide among Europeans has increased over the past 20 years. Some nations, such as Hungary, have maintained high rates; but these figures, as well as increases in other nations, are attributed to economic fluctuations (i.e., poverty), not mental illness (Journeyman Pictures, 2007). Figures became alarmingly high during the collapse of the world economy between 2005 and 2011; and in some nations, Ireland for example, filicide-suicide rates soared (Connolly, 2007).

Infants being born and living inside penal colonies is on the rise throughout Europe (e.g., Russia and Italy) (Jail Babies, 2013). In her memoir, Amanda Knox describes her time in an Italian prison with a little girl named Mina (Knox, 2013). Her mother, Gregora, was uncertain of Mina’s age because she lived in prison throughout her life. After some years, prison officials guesstimated that Mina was three years old; so, she was moved into an orphanage. Mina was permitted to visit her mother for one hour each month. Of the day that Mina was forced to leave the
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maternity ward to live in an orphanage, Knox said, “prison tore families apart, and they could never be stitched back together.”

Corporate criminal charges were brought in Germany for birth defects resulting from birth control. In 1968, an extensive criminal trial was held to determine whether Grünenthal agents were culpable of negligent homicide and injury. The company was found not guilty by the criminal court; and they settled with victims. The settlement required them to pay 100 million deutsche marks into a foundation, which paid victims; and they were fined another 320 million deutsche marks by the government. In 2008, the corporation paid 50 million Euros to the foundation.

Canada and Australia

In Australia and Canada one of the most serious issues with pregnancy and infants resulted from racial conflicts between Whites and Natives. Since the beginning of European settlement in Australia, Europeans removed Indigenous children and employed them to inculcate them and benefit from their labor (Australian Government, 2009). In 1814, a school for Aboriginal children was founded that appealed to Indigenous families; yet the school was actually designed to separate children psychologically and culturally from their traditions and families. After voluntarily sending their children at first, Aboriginal communities eventually became hostile toward the school. Settlers began to systematically remove and inculcate Indigenous children. Children were placed at reform schools, stations, and industrial schools. First, children were removed as toddlers and sent to dormitories; and then, as teens they were sent to work at settlements or missions. There, at least 10 percent of girls were sexually abused; and boys’ heads were shaved and they were divested of their possessions. Children were treated as prison inmates without due process or identity and subject to constant surveillance. Assimilation policies and practices ostracized and discriminated against Natives; thus, the government reformed assimilation practices, making assimilation optional in 1967. Following inquiry by the Human Rights and Equal Opportunity Commission, Australia began to officially recognize harm caused by assimilation.

In Canada, a truth-and-reconciliation commission was formed to discuss stolen generations (Cusack, 2015; Karpenchuk, 2011). More than 1,000 victims and relatives shared accounts of how Native children in Canada were forced to assimilate into White society. They were required to attend religious boarding schools financed by the Canadian