

Summaries

Introduction: Putting Unsafe Abortion on the Development Agenda

Andrea Cornwall, Hilary Standing and Andrea Lynch

This introductory article argues that the interlinked issues of legal reform, the provision of accessible and affordable services and the strengthening of women's capacities to exercise agency over their own bodies make safe abortion a development issue. Within this understanding, it reviews these intersections through the multiple framings used in the articles in this *IDS Bulletin*. Public health arguments for safe abortion services speak to increasing concerns over the toll of maternal morbidity and mortality from unsafe abortion. Rights-based approaches engage with both national struggles for citizenship rights and personal entitlements to agency. Different framings are strategic in different political contexts where policy reform is being debated. This article reflects on the range of strategies and tactics described by contributors that have contributed to successful outcomes or to a more constructive dialogue, while drawing out important cautions for reformers on the still formidable opposition they may face.

Advocating for Abortion Access: Lessons and Challenges

Barbara Klugman

This article reflects on the lessons learnt about strategies for increasing access to abortion from an 11 country comparative policy analysis known as the Johannesburg Initiative. It reflects on the value of learning and sharing strategic thinking while remembering that opportunities for litigation, policy change, shifts in programming, or even changing public opinion are often place and time specific, so that what leads to victory in one place cannot necessarily be repeated in another. The task is to build the evidence, the legal and health system capacity, the engagement with the public and policymakers to be able to take advantage of windows of opportunity as they arise. The article also suggests that while many gains have been made in winning a broader base of support for the idea of sexual and reproductive rights internationally, there is

an urgent need to reinvigorate this movement, particularly through greater leadership, organisational and strategic engagement by activists from developing countries.

Islam and Abortion: The Diversity of Discourses and Practices

Leila Hessini

One in four world citizens across the globe identify themselves as Muslim, and they represent a striking diversity of values and interpretations of Islam's tenets towards female sexual behaviour and abortion. This is characterised both in the social stigma associated with abortion, and the varying legal status abortion holds in Islamic countries, ranging from legalisation to decriminalisation in certain cases, to full criminalisation. In many places, the changing face of society and attitudes towards family size have not kept current with policies and access to contraception, resulting in an increase in the number of abortions and high levels of maternal mortality rates where abortion remains a criminal offence. This article illustrates how a range of strategies, including documenting and sharing women's experiences, advances in abortion techniques, and learning from model countries can be used by a variety of actors and organisations to advocate, on religious, human rights and political grounds, to gain greater access to safer abortion and sexual health services.

Abortion and Human Rights: Examples from Latin America

Janet Walsh, Marianne Mollmann and Angela Heimbürger

Human Rights Watch's experience, in particular in Latin America, has reaffirmed that women's ability to decide if, when, how often, and with whom to have children is fundamental to their ability to make independent decisions about work, education and family life. Restrictions imposed on access to safe and legal abortion, in addition to other sexual and reproductive health services, violate women's rights to health, to non-discrimination and equal

treatment, to privacy, to be free of cruel, inhuman and degrading treatment, and the right to the benefits of scientific progress, among others. This article draws links between abortion and human rights while illustrating the scope for advocacy in the varying abortion contexts in Mexico, Nicaragua and Peru. The authors explore entry points for activism and change as they highlight regional commonalities and contextual differences with respect to abortion.

Highlighting Human Rights Violations: The Mock Tribunal on Abortion Rights in Kenya

Sarah Onyango and Cynthia Mugo

Fewer than 40 per cent of Kenyan women use some sort of contraception, leading to unwanted pregnancies and unsafe abortions. Nearly 50 per cent of maternal deaths are linked with unsafe abortions and national law still criminalises those involved in the provision of an abortion, holding a possible penalty of 15 years imprisonment if found guilty. In its mandate to promote sexual and reproductive rights, including safe abortion services, the Reproductive Health and Rights Alliance of Kenya planned a Mock Tribunal with the view of informing and engaging citizens, the media and policymakers, and advocates publicly on the negative consequences of the criminalisation of abortion in Kenya. Over 400 participants, including health professionals and counsellors, gathered to hear testimonies from four women who had had abortions. Though protests by pro-lifers tried to stop the event, participants insisted it continue. The tribunal proved to be an effective forum to engage the public and stakeholders in issues including sexual violence, violence against women, socioeconomics and health and reproductive rights.

Unsafe Abortion and Development: A Strategic Approach

Isaac F. Adewole, Nnenna C. Orji and B.A. Oye-Adeniran

Despite 80,000 female deaths a year due to unsafe abortions and a higher prevalence of them occurring in developing countries, abortion remains a women's reproductive health problem instead of a development problem. In fact, it calls for a stronger advocacy strategy for greater consciousness-raising and sensitisation. The Campaign Against Unwanted Pregnancy (CAUP) in Nigeria seeks to employ a multi-pronged strategy that seeks to break the silence on unsafe abortion to create climate for discourse, conduct reliable studies to provide data for debate, and employ the data as a tool to rally

support for action on women's sexual and reproductive health and rights in general, and safe abortion specifically. Undertaken primarily through partnering community and faith-based organisations, the CAUP seeks to engage policymakers, the media, community-based organisations and religious and traditional leaders as part of a strategy to build up a critical mass of advocates that will fight to reduce high levels of mortality caused by unsafe abortion.

Campaigning for the Right to Legal and Safe Abortion in Brazil

Gilberta Soares and Cecilia Sardenberg

This article examines the experience of mobilising for the right to safe, legal abortion in Brazil. It focuses on exploring the strategies pursued by the feminist and women's movements to 'win hearts and minds' both within these movements, and beyond them, through collective struggle, dialogue and coalition building. Tracing the trajectory of the Brazilian campaign for the legalisation of abortion, *Jornadas pelo Direito ao Aborto Legal e Seguro* (Brazilian Journeys for Legal and Safe Abortion), the article looks at avenues of action and modes of activism. It describes how the efforts of campaigners have focused not only on engaging support from the public and the media, but also on working with the Ministry of Health and health professionals to guarantee the availability of services for abortions that are legal under current restrictions, monitoring changes in public opinion and the media, and on legislative change, which has recently become especially difficult in the wake of increased activism by the Church. The analysis explores entry points, successes and challenges in this journey, and highlights ongoing dilemmas in the struggle for abortion rights in Brazil.

Policy Analysis of Abortion in Indonesia: The Dynamic of State Power, Human Need and Women's Right

Claudia Surjadaja

The women of Indonesia with unwanted pregnancies face stark choices: giving birth and facing social ostracism, loss of family support network, and even harsh criminal punishment; or an abortion from a clandestine provider, risking serious injury or death. The complexity of Indonesian life is multifaceted. Ruled by multiple formal and traditional legal systems, it remains embroiled in an ongoing struggle to establish its identity during the process of democratisation and a strengthening of Islamic values

in a time when the vast majority of its population, as Muslims, feel under attack by the West's 'war on terror'. The campaign to bring in a new health bill including the decriminalisation of abortion has been challenged, facing lack of consensus that high maternal mortality rates are primarily caused by clandestine abortions, varying reasons behind reforms to the health law, and lack of political will to see through the change because of difference of opinion. The powerful combination of liberal and secular values that is manifest in Indonesian people is complex, but also holds hope that change remains possible.

Social Consensus, Democratic Conflict: The Debate on the Decriminalisation of Abortion in Uruguay

Lilián Abracinkas and Alejandra López Gómez

Since the restoration of democracy to Uruguay in 1985, every year has seen initiatives to decriminalise abortions. Strong support and public awareness focusing on women's rights and personal freedom by advocacy groups has bolstered public opinion in support of woman's choice from 25 per cent to 65 per cent during 1985–2007. Despite this wave of grassroots support, powerful politicians remain wedded to more conservative values, managing to defeat every decriminalisation bill presented to date. But the increasing environment of democratisation and support for rights and choice, buttressed by a wide range of civil society actors, including advocacy groups, community-based organisations, academics and politicians, may provide sufficient pressure that the government accepts the newest bill on the Defence of the Right to Sexual and Reproductive Health. This presents a great opportunity for Uruguay and Latin America – and those interested in the process of democratisation – to push for the recognition of sexual and reproductive rights as human rights and to guarantee women's rights to decide.

A Rights-based Model: Perspectives from Health Service Providers

Giselle Carino, Jennifer Friedman, Marcela Rueda Gomez, Carrie Tatum and Leonel Briozzo

Latin America and the Caribbean have among the highest levels of unsafe abortions, and current debate rages to change the abortion-related laws and policies in the region. In response, the International Planned Parenthood Federation/ Western Hemisphere Region (IPPF/WHR) has established a three-pronged framework to fight unsafe abortions,

based on promoting the right to increasing access and reducing need, promoted through a range of service and advocacy components. In this case study, a Uruguayan partner organisation, *Iniciativas Sanitarias*, adapts this rights-based framework for local application, creating the harm reduction approach. Based on the rights to information, health and women's autonomy, *Iniciativas Sanitarias* seeks to empower women and strengthen the commitment of health professionals to provide safer abortion information and services based on the bioethical principles of autonomy, justice and patient–provider confidentiality. The increase in service utilisation has proven the practicality and viability of this framework, and is providing the basis for working towards a national health system model that will promote social and human development through the public policies needed to achieve the Millennium Development Goals.

From Constitutional Court Success to Reality: Issues and Challenges in the Implementation of the New Abortion Law in Colombia

Mónica Roa

In Colombia on 10 May 2006, a Constitutional Court decision decreed that abortion is a constitutional right for women and should not be considered a crime in particular circumstances. In order to monitor the acceptance and take-up of this new decision, Women's Link started a mapping exercise to identify obstacles and resources to work facing the proper implementation of the law. Many challenges were found, including: lack of information, confusion around conflicting laws, legal and moral conflicts among service providers leading to subjective decisions and lack of service provision, and the challenges of abiding by lawful requirements for access to services during armed conflict. Mapping and recording continues and women's organisations continue the struggle to realise women's sexual health rights through ensuring the judicial and disciplinary accountability of service providers and insurers.

Thirty-five Years of Legal Abortion: The US Experience

Marlene Gerber Fried

Thirty-five years on from the abortion rights victory of *Roe v. Wade*, abortion proponents in the USA continue to battle political opposition and the formidable abortion opponents that seek to overturn legal abortion in the long run, and limit access to services in the short run. This article outlines the

many battles over national and foreign aid policies, legal changes, attacks on and limits to access that have characterised the ongoing abortion debate in the USA. Beyond the political, it further illustrates how, despite the legal and human rights discourse the politicians and advocacy bodies pursue, deficient

access and funding and stigma are overwhelmingly the critical barriers for the poor and ethnic populations, demonstrating that the 'choice' debate is not a realistic one in a context where poor mothers can neither afford to have an abortion, nor mother another child.