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# Roe v. Wade: The collateral damage for African women

## The 1973 issuance of Roe v. Wade revolutionised the discourse on women's bodily autonomy globally — its reversal has backslid Africa in particular

If ever the world needed a chilling reminder of the deep interconnectedness of global policy trends, it came with the 2022 Supreme Court of the United States' decision to overturn the 1973 Roe v. Wade. This seismic judicial pronouncement, which upended the constitutional right to abortion in the United States and empowered states to dictate abortion laws, sent shockwaves across the world. The ruling also demonstrated how a single national decision can exert a profound influence on the lives of millions of women and girls globally, particularly those already living in restrictive environments.

In Nigeria, a West African country thousands of miles away from America, the Lagos State government tactfully discarded a comprehensive reproductive health policy document two weeks after the toppling of Roe v. Wade. The 40-page document, titled 'Lagos State Guidelines on Safe Termination of Pregnancy for Legal Indications', in the works since 2018, had aimed to address safe abortion practices. In addition, a few months later, Nigeria expunged sex education – a crucial and preventive measure in curtailing teenage pregnancies and related deaths – from its basic education curriculum.

Much like in many other African states, abortion in Nigeria is a contentious public health issue, governed by entrenched cultural biases and restrictive laws — the Penal Code in the North and the Criminal Code in the South. In this context, performing an abortion can lead to harsh penalties, including imprisonment for up to 14 years and even life, except in cases where it was undertaken to save the life of the pregnant woman.

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Act in Nigeria, supporting women's right to terminate a pregnancy caused by rape or incest. The policy had also intended to tackle the rampant incidences of maternal morbidity and mortality connected to unsafe abortions in the state. Across Nigeria, an estimated 20 000 deaths occur annually due to clandestine abortions performed under very risky conditions, despite legal restrictions on the procedure.

In a statement, the Lagos State Government cited medical concerns and the need for public sensitisation and further stakeholder consensus as reasons for pausing the release and implementation of the guidelines. But many reproductive health advocates have since dismissed this excuse, citing deeper motivations at play. 'The policy was called all kinds of names by anti-abortion crusaders who conveniently referenced the ruling in America, a perceived bastion of liberal values, as a step in the right direction and one that ought to be copied by Lagos State', said Ngozi-Nwosu Juba, a human rights activist and Project Director at Vision Spring Initiatives, a gender rights-based organisation.

According to Fortune Nwobodo, a medical doctor, the reversal of Roe v. Wade is likely to spike an increase in prejudices against vulnerable women, as well as illegal backstreet abortions and their associated risks: 'the complications from back-alley abortions can be overwhelming with significant dangers posed by quacks and even prejudiced medical professionals who often disregard the pain experienced by women during the procedure.'

The experience of Miremba, a 20-year-old Ugandan who underwent an abortion at 16, further echoes this truth. Far from being a liberating experience, the procedure left her scarred forever:

'I was treated like a criminal, and the doctor performed the abortion without anaesthesia. It was excruciating and felt like someone was clawing my insides away with a sharp razor blade. When I begged for pain relief, he claimed the pain was intended to deter me from having unprotected sex again.' In September 2022, her country rejected the United Nations' definition of abortion as a human right — a few months after the United States overturned Roe v. Wade.

## The enduring aftermath of the past

Historically, African nations such as Nigeria have been susceptible to external social pressures, and economic and political influences — a pattern largely attributed to the legacy of slavery and colonialism, the twin pathways through which the continent came in contact with globalisation.

Despite Africa's entrenched values and identity, colonialism significantly reshaped its governance and social systems, setting the stage for enduring external impacts on the continent's development, and creating lasting links with distant geographical and political entities. The United States, in particular, stands out as a centrifugal force in Africa's globalisation dynamics, primarily due to its economic, cultural and political clout. As a major development partner and cultural exporter, it significantly impacts African economies and societies. Ngozi aptly summarises this influence as 'when America coughs, Africa catches a cold.'

While this intricate web of influences can sometimes engender positive developments, it often exacerbates inequalities, especially in fragile environments and vulnerable contexts. When Roe v. Wade was issued in 1973, it marked a pivotal moment in the discourse on women's bodily autonomy around the world. In Africa, Tunisia liberalised its abortion laws nine months after the victory, allowing access to abortion without marital consent. By 1986, Cape Verde also permitted abortions until up to 12 weeks of pregnancy, a move that aligned with Roe v. Wade.

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In many African countries, where legal, religious and cultural norms already impose stringent limitations on women's rights, the reversal of Roe v. Wade has emboldened conservative views, heightening risks and prejudices against women who seek abortions. Yet, it is essential to understand that the pursuit of abortion is often not a choice made lightly. 'Young girls, forced into early marriages, face pregnancies beyond their capacity to bear. Victims of sexual violence, especially in places like Nigeria where marital rape isn't recognised, find themselves with few options. Lack of sexual education, economic empowerment, and access to contraception further corners women into this difficult choice', says Ngozi.

Besides, reinforcing discriminative behaviours, the Roe v. Wade reversal

has also raised concerns about its long-term impact on African budgets. Many African nations, burdened with substantial debts, rely heavily on external funding for health interventions. With international aid and health initiatives often swayed by the policy environments of donor countries, particularly the United States, there is a risk of a shift in focus or reduced support for reproductive health services, including safe abortion medications and access. And funding opportunities for feminist organisations have already begun contracting — 'it is like the Trump era all over again', notes Juba.

In 2017, the Trump administration imposed an expansion of the 'global gag rule', a policy barring organisations that receive US global health assistance from providing or promoting abortion services. Even though the policy was reversed by the Biden administration in 2021, its impacts saw the closure of contraception services in African countries like Malawi and Kenya.

Despite the gloomy outlook and daunting challenges, there is a resilient belief among African sexual reproductive health advocates that the path forward for the continent is progress. They optimistically predict a liberal shift in the long term, suggesting that current conservative views on reproductive rights will eventually evolve, paving the way for more relaxed abortion policies across Africa.

To realise this vision, however, international solidarity is critical, as is education, not merely as a tool for combating unsafe abortions but also as a means of empowering people to make informed decisions about safe sex practices, eradicating ignorance and dismantling deep-seated prejudices against gender rights.

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