

Policies on Abortion: Women's Experiences of Living through a Gendered Body in Zimbabwe

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Abstract

This article profiles policies on abortion in Zimbabwe, a country with restrictive legal frameworks on reproductive rights that are influenced by customary or cultural practices. The article first maps the international policy landscape on reproductive and sexual rights, and the laws governing the termination of pregnancy. Thereafter, it examines the extent to which international policy discourses inform national frameworks governing women's sexual bodies in Zimbabwe. As such, the article analyses cultural and legal discourses that continue to shape the reproductive and sexual rights landscape in Zimbabwe. It is in this contextual section of the paper that I capture the struggles about body ownership exposed by academics and activists as well as discourses around the construction of women as reproductive objects and young women's realities of abortion that emerged from my engagement with elderly women in

rural Zimbabwe¹. A critical integration of scholarly debates and empirical findings on abortion exposes how the effects of the criminal tag attached to abortion in Zimbabwe are experienced by women who terminate their pregnancies in a country where the body is heavily patrolled by the state. Central to this paper is the inference that as the state sets the parameters of sexuality, it (re)defines the meaning of being Zimbabwean for those gendered as women. I conclude that engaging with the moral and legal boundaries that emerge as the state patrols the body, deepens one's insight into the meaning of citizenship or nationhood in Zimbabwe, which women often negotiate through their gendered bodies.

Keywords: gendered bodies, abortion, citizenship, Zimbabwe.

1. Mapping the international policy landscape

An adequate understanding of the gendered policies on abortion requires one to situate conceptual issues in international discourses within which reproductive and sexual rights are often analysed, debated and theorised. Insightful politics of gender and sexuality include those that emerged in the last decades subsequent to the Cairo Programme of Action, 1994 and the Beijing Platform of Action, 1995. These are platforms where women's sexuality in relation to their reproductive and sexual rights took centre stage (Gruskin 2000, 2) as a way of integrating ideas about the sexual body into policy. The Cairo Programme of Action and the Beijing document raised fundamental sexual rights issues from a policy perspective that offer «a foundational touchstone of women's rights» (Tamale 2008, 64) on which scholars dedicated to the politics of gender and sexuality entrench their theorisations. One of the central insights here is that the broad reproductive and sexual rights discourses which emerged in the

¹This paper draws on Batisai, K. (2013) *Body politics: - an illumination of the landscape of sexuality and nationhood? Re-seeing Zimbabwe through elderly women's representations of their sexual and gendered lives*, Cape Town, University of Cape Town (PhD thesis)

policy sphere are in discussion with feminist interests in reforming the shape of the state so as to achieve gender equality.

A critical analysis of scholarship on reproductive and sexual rights points at debates that problematise the whole rights discourse. Sexual and reproductive health and rights articles that flowed from Cairo and Beijing seek to provide «missing theoretical and practical sparks to ignite the commitment required from both the state and non-state actors to implement them» (Tamale 2011, 3). Petchesky provides an intersectional analysis of the extent to which a woman could enjoy reproductive health and sexual rights when she occupies spaces in which ideological and material realities are gendered (see Nair *et al.*, 2004, 14). Underlying Petchesky's analysis is a centuries-long interplay between sexuality and the political economy that frames «sexual life as a contested territory [,] where meaning and power intersect as part of on-going social and political processes» (Parker 2010, 59). Such analysis provokes researchers working in the context of reproductive and sexual rights to explore the politics of living through a gendered body within specific contexts. Therefore a mapping of the international policy discourses prepares this article to engage with the academic and civil society activisms that emerged subsequent to these international frameworks, and simultaneously unravel the realities of being a woman within a specific national context. Thus the discourse of abortion here serves as a lens through which I explore the various ways in which the legal framework of Zimbabwe interacts with, agrees with or is in conflict with international policies on reproductive and sexual rights.

This article draws on the work of Rahman *et al.* (1998), which maps how the laws governing induced abortion in different parts of the world have evolved over a period of twelve years (1985-1997). In their analysis, Rahman *et al.* offer an in-depth understanding of what the legal and illegal status of abortion entails. The authors reveal that «61% of the world's people live in countries where induced abortion is permitted [...] in contrast, 25% reside in countries where abortion is generally prohibited» (*ibidem*, 56). They further reveal the politics surrounding the discourse of abortion, especially the fact that in the latter countries, the legal framework is somewhat liberal because a woman is allowed to abort when the pregnancy puts her life in danger. Similar to Bennett (2011, 78), who notes that women's access to abortion services in countries that

have liberalised their legal framework is often hindered by «religious concerns about the ethics of abortion», the trio lists some of the factors that deter easy access. These include «gestational age restrictions, requirements that third parties authorise an abortion or limitations on the types of facilities that perform induced abortion» (Rahman *et al.*, 1998, 56).

The complexity of profiling the legal status of abortion in any nation stemming from the existence of «multiple statutes and codes all of which apply simultaneously» (*ibidem*) has informed my focus on how abortion policies have unfolded in a specific national context – Zimbabwe. I analyse the ways in which the government of Zimbabwe has structured the legal framework regulating the practice of abortion, and how the effects of «a restrictive abortion law» (see Johnson *et al.*, 2002, 195) have been and continue to be experienced by citizens gendered as women.

2. The policy framework regulating women's rights in Zimbabwe

Scholarship on Zimbabwe's policy status exposes the national efforts towards implementing and promoting reproductive and sexual rights decades after Cairo and Beijing. This analysis is however alert to the constraints inherent in the universal application of any international treaties and policies. As such, the article locates some of the conceptual frameworks and recommendations that emerged from Cairo and Beijing within national policy structures. Policy review helps one to assess how far the government of Zimbabwe has gone in its endeavours to enforce the Cairo and Beijing recommendations both hypothetically and in practice. This article takes cognisance of the limitation that «while the Programme of Action has proved to be a useful lobbying and advocacy tool for women's reproductive rights and health activists in countries; it is 'soft law' that is not binding on governments» (Nair *et al.*, 2004, 7). In that order, the Constitution of Zimbabwe calls for the domestication of international policies before applying or integrating any guidelines and frameworks at national level (The Constitution of Zimbabwe 1997, sect. 111B). Adopting a dualistic approach to international instruments is problematic because whenever a country fails to

domesticate such treaties they «only play a persuasive role in the legal system» (Batisai *et al.*, 2010, 14).

On a positive note, Zimbabwe has signed and ratified a number of international and regional gender instruments as well as promulgated national policies and laws on gender. As part of its numerous initiatives to enforce the Cairo and Beijing recommendations, Zimbabwe endorsed the Committee on the Elimination of Discrimination Against Women without reservations². This was a huge positive step for Zimbabwe because the committee's «spirit [is] rooted in the goals of the United Nations and the conviction that equality before the law is a fundamental human right» (Masenda-Nzira 2003, 7). The establishment of a National Gender Policy and the enactment of relevant legal provisions, as well as assigning gender focal points in all ministries, are some of the salient developments that have been made towards the recognition or enhancement of women's rights in Zimbabwe³. The Constitution, which is the superior law of the country, set a Gender Commission whose mandate is not limited to «conducting research into issues relating to gender and social justice, and to recommend changes to laws and practices which lead to discrimination based on gender» (The Constitution of Zimbabwe 1997, chap. 13, 4).

Despite the positive developments highlighted above, the United Nations Population Fund Advocacy Sub-Programme of 2000-2004 perceives Zimbabwe's follow-up to Beijing and Cairo recommendations inadequate. On that note, the ensuing analysis draws on specific national discourses that have framed and continuously impact on women's freedom to access and dispose of their bodies in Zimbabwe. The section places emphasis on traditional or cultural beliefs around women's bodies, their fertility and their procreative function in society, which have shaped the legal system and national laws used by the state to police women and their bodily rights. These discourses create a discursive context for engaging with women's experiences of living through a gendered body in Zimbabwe as evidenced by the widespread violation of women's reproductive rights, and the realities of abortion central to this article.

²See CEDAW/Zimbabwe 1998, paragraphs 366, 367 and 372

³See CEDAW/Zimbabwe 1998, paragraphs 366, 367 and 372

3. Practices through which women's bodily rights are controlled

This article would not be complete without exposing the gendered politics within Zimbabwe's legal frameworks that have conventionally regulated marriage patterns, family planning, and the intrinsic violation of women's reproductive and sexual rights. Over three decades after the enshrining of the right to family planning at the Teheran Human Rights Conference in 1968, Zimbabwean «women are denied the right to use contraceptives, which systematically violates their bodily integrity» (Masenda-Nzira 2003, 8). Explanations to the massive control of women's sexuality could be elicited from the way patriarchal societies are structured. Predominantly because descent in Zimbabwe, like any other patrilineal society, is traced through the father's lineage (see Kambarani 2006, 7), society inherently grants men authority over family planning matters. For instance, the traditional customary law of Zimbabwe grants «a man and his kin full rights over a woman's reproductive capabilities» upon payment of *lobola* (Masenda-Nzira 2003, 8). The impact of this practice on women's bodies with respect to their «reproductive and sexual rights, which are about self-determination in matters of procreation and sexuality» (Nair *et al.*, 2004, 4) goes without saying. These patriarchal ideologies subsequently reduce women to reproductive objects whose primary responsibility, in the institution of marriage, is merely to procreate (see Njovana and Watts 1996, 50). It is through these hegemonic frameworks that women's bodily integrity is greatly undermined (Masenda-Nzira 2003, 8) and, in the process, their freedom to dispose of their bodies through practices such as abortion is restricted. When the 'rights discourse' is framed in terms of «power to make informed decisions about one's own fertility» (Nair *et al.*, 2004, 4) among other bodily rights, then denying a woman the freedom to dispose of her body becomes one of the forms gender-based violence takes. The seemingly engraved procreative role is an inroad into the analysis of how society reacts to abortion both culturally and legally.

From a legal perspective, sect. 89 of the Constitution of Zimbabwe «allows for the co-existence of both the general law and customary law» (Masenda-Nzira 2003, 8) but the gendered prejudices that stem from this interplay are enormous. For example,

women who are married under the Marriages Act (chap. 5, 11) and the Customary Marriages Act (chap. 5, 07), which are both recognised by the law governing the institution of marriage, fail to fully exercise their constitutional rights due to «patriarchal practices such as *lobola*» (see Kambarami 2005, 8). The practice of *lobola* suggests that a woman has very limited (if any) power to resist sexual demands from her husband and challenging the husband's authority is often the basis for gender-based violence within marriages (Njovana and Watts 1996, 48). What emerges from these sexual power struggles is the notion of coerced sex. It is worth-mentioning that although rape within marriage in Zimbabwe became legally recognised with the passing of the Sexual Offences Act of 2001, the interplay between law and custom deters married women from fully utilising the provisions of this Act. Culturally, a married woman finds reporting marital rape problematic and if she gets pregnant as a result of coerced intercourse, she cannot terminate the pregnancy in order to fulfil her procreative function. From a legal perspective, the same woman is considered as raped and has the legal right to abort according to the Termination of Pregnancy Act No. 29 of 1977 (see Johnson *et al.*, 2002, 195; and Tichagwa 1998). This paradox raises a pertinent question that interrogates the realities of a married woman who is supposed to be protected from a legal perspective but that legal right is simultaneously undermined by the cultural mores and ideological constructions of a societal context, which she is a part.

Discussions about *lobola* among other customary practices in Zimbabwe have brought to the fore the real problem that activists advocating the «achievement of basic rights in almost every sphere of life» (Nair *et al.*, 2004, 4) need to engage with. Tichagwa (1998, 79) attests that «although not united on this issue, women in Zimbabwe have called the government to reform marriage laws recommending that *lobola* be made illegal as a way of eliminating the oppression of women believed to be rooted in this system». As such, Tichagwa points at the perpetual existence of the legal Age of Majority Act with its original clauses irrespective of the contestations around the subject of *lobola* payment (*ibidem*). It is noteworthy that women politicians' voices, and their attempts to enforce ideological and structural shifts within women-oriented state machinery, are often resisted by a predominantly patriarchal government (Seidman 1984, 432). As a result, women politicians often conform to patriarchal interests and

ordinary women have to constantly navigate gendered barriers within the new Zimbabwe (Gaidzanwa 1992, 116). The role of the state in addressing gendered inequalities is highly questionable if government fails to amend discriminatory provisions within national policies to ensure that they become more relevant to the Zimbabwean community.

4. Women as reproductive objects

Drawing on the findings of my PhD thesis titled *Body politics: - an illumination of the landscape of sexuality and nationhood? Re-seeing Zimbabwe through elderly women's representations of their sexual and gendered lives*⁴, this section of the article deploys the elderly women's narratives of motherhood to capture the cultural beliefs and practices that governed their sexual bodies, and how women emerged as reproductive objects. Their narratives on conception and fertility depict the politics and power dynamics associated with family planning matters. Central to the arguments supporting resistance to control of conception is a gendered, societal expectation that a woman should bear as many children as possible. Mbuya⁵ Tugu asserts that the idea of a woman preventing herself from conceiving was culturally unacceptable. To substantiate this, Mbuya Mushandira states that a wife was expected to make the most of every opportunity to conceive, in order to expand the clan. Mbuya Pumho describes how she met that expectation, «my duty was just to give birth without any plan, and I never avoided conception...I gave birth like a goat!». Mbuya Nzimbe emphasises her wifely role by posing the question, «Why would I 'block' the uterus? I just conceived and gave birth to my children because that was the reason why I left my natal home» – a question which reinforces women's reproductive function deeply embedded in the cultural system.

⁴ Batisai, K. (2013)

⁵ Mbuya is a vernacular (Chishona) word which means grandmother, and I use it here to denote respect for the elderly women. In addition, I assigned pseudonyms to all the respondents for anonymity, and for presentation purposes.

Concurring with Njovana and Watts (1996, 50), who note that many women exercised their agency and opted to use contraception clandestinely «out of fear of violence», the elderly women's reflections on motherhood hint at a sense of agency and resistance. Mbuya Mhiri refers to the use of *mishonga yokusungira*, which entailed tying some medicinal twigs around one's waist, two on the left and two on the right. However, there were power struggles and violence over the use of these medicines. Mbuya Tugu alleges that women kept the medicine away from their husbands because traditionally, some men were against the idea of family planning and they would hit their wives for using them. Mbuya Mhiri rules out the possibility of keeping *mishonga yokusungira* a secret because «if you hid the stuff, he would accuse you of having extra-marital affairs, as soon as he discovered the medicine. » She further says that, with the introduction of western family planning in the country, women were initially reluctant to use the pills for fear of being cross-questioned, «Why do you use those pills? Are you a prostitute? » and being victimised for doing so. Mbuya Tugu frames family planning as a point that wives were constantly negotiating at the time of national independence, «Husbands wanted to know whatever it is that was stopping you from conceiving. So some women were beaten up, if they delayed conceiving again, even though they never disclosed that they were using some pills. »

In spite of these reflections that situate women as bodies existing to procreate, respondents show how women navigated the complex cultural spaces surrounding family planning. Women established strong alliances in order to manipulate their way around sensitive cultural prohibitions. When family planning was introduced, women used role playing(?) to teach each other how to utilise the pill. The role-play quoted below provides a sample of the type of the small talk the women employed,

Mbuya Tugu: You continue to conceive in this day and age of family planning! You should plan and space your children using these pills. [Colleague: How do you manage it? If my husband sees the pills...it gets complicated.] Mbuya Tugu: The strategy is you claim to be sick and you go to the clinic. When the nurses give you the family planning pills, empty all the sachets into a different container. As soon as you get home, show your husband the container, "Daddy, these are the pills that I was given at the clinic for my condition."

Mbuya Mere identifies with this strategy. She was inspired by another woman, who argued that she would die if she continued to have children. She divulges how she manipulated her husband who, to this day, believes that she was not supposed to take the pills, «I put them in a bottle which I had taken to the hospital...I kept them out of his reach in the house». Mbuya Mere asserts that she took advantage of his problem with alcohol to implement her strategy, «I took all the pills, and this ‘king’ didn’t suspect anything, not even one day! He only knew about beer-related issues. » Mbuya Ndari celebrates the benefits of planned pregnancies. She argues that a woman has a breathing space between pregnancies, and the chance to cope with the pressures of being a wife and mother, and the burden of domestic work. Overall, these narratives illuminate how the elderly women reacted and resisted hegemonic ideologies threatening to take full control of their bodily rights. It is noteworthy that these lived realities of elderly women located in rural Zimbabwe, which are seldom profiled, find their way into nationalist discourses, presented in the conclusion of this article, where they reveal the link between gender, reproductive rights and citizenship.

5. Profiling the realities of abortion in Zimbabwe

This section, which also draws on the findings of my PhD thesis, presents narratives of elderly women who have witnessed the politics of abortion unfold in rural Zimbabwe. The elderly women whose narratives are represented here map and profile the realities of abortion among young women in Zaka District, South-East of Zimbabwe. To begin with, Mbuya Dzachi acknowledges that «there are so many pregnancies and incidents of abortion » in this area. It is vital to note that the elderly women’s discourses historicise the practice of abortion in a way that profiles the practices that women still bring into being in present-day Zimbabwe. Acknowledging that abortion is not ahistorical, Mbuya Nzimbe traces abortion back to “long ago” when some women aborted using traditional herbs provided by people who knew about the medicinal uses of herbs. She recalls that «this was a backyard practice since it was a criminal act...even now it is not allowed but, some people continue to do it. » Similarly, Mbuya Tamba claims that abortion in

present-day Zimbabwe is still a backyard practice, «I have never heard of any abortions that are done at the hospitals in this area...they just use traditional medicine/herbs at home. » While one can argue that young women in this area opt for traditional remedies capitalising on indigenous knowledge about the practice, it is clearly discernible that what informs this agency is the criminal tag attached to the practice of abortion which Mbuya Nzimbe also traces back to “long ago”.

The paragraph above paves way into scholarship that exposes the policies on abortion in Zimbabwe, and how the effects of the criminalization are experienced by young women. While the longstanding reproductive concerns that women continually battle with could be traced back to culture, religion, tradition or custom in Zimbabwe, the role of the state needs no underestimation. Through legal frameworks on pregnancy termination, for example, the state continues to define the terms of how to live through a gendered body in Zimbabwe as it controls the circumstances under which a woman can abort (see Johnson *et al.*, 2002, 195). Although women who become pregnant as a result of any sexual intercourse considered unlawful, including rape and incest are covered by the Termination of Pregnancy ACT of 1977, Tichagwa (1998, 63) alludes to core restrictive aspects of the ACT. Barriers include prolonged «legal procedures which make it difficult to obtain abortion» as women build their case (*ibidem*). In addition to navigating the complex legal landscape, young women located within an often-judgemental nation have to negotiate contested spaces as pregnant teenagers – factors that collectively reduce women’s options to illegal backyard activities with huge reproductive health challenges.

Statistical representations illuminate that «in 1992 alone, 5450 women sought treatment for incomplete abortions in Harare» (*ibidem* 1998, 63) and these figures possibly misrepresent the impact of abortion in the country. The elderly women’s narratives hint at the silences or complete absence of open discussion around the discourse in their community. Mbuya Nzimbe claims that most people are reluctant to unravel the pregnancy mystery, and when questioned, «no-one, including the mother of that girl, bothers to explain to people when the pregnancy miraculously disappears». Similarly, Mashamba and Robson (2001, 274) not only allude to the invisibility of

backyard abortion but they also attribute these silences to the criminality attached to this practice in Zimbabwe.

Amidst these silences, the fight for women's rights in Zimbabwe is a landscape dominated by activism, as those in the academia and civil society expose the lived realities of Zimbabwean women. The silences discussed above, along with Mbuya Dzachi's observation that «some [young women] even abort when the foetus has already developed into a baby» serve as an analytic lens through which scholars further explore how the effects of the criminalization are experienced by young women in Zimbabwe. The World Bank (2000a, 243) notes that, when illegally practised, abortion «contributes to high maternal mortality rate of 280 per 100,000 live births in the country» (see Mashamba and Robson, 2001, 274; see also Johnson *et al.*, 2002, 195). The correlation between backyard abortion and high maternal mortality rate has generated intense debates about «the liberalization and decriminalization of abortion» in Zimbabwe⁶. The rift is not peculiar to Zimbabwe because parallels could be drawn from progressive contexts where clashes between religious, cultural and legal frameworks have been observed. For instance, Bennett (2011, 78) argues that «in a few contexts where access to the termination of pregnancy has been made easier [...] legislation has been qualified by deep, often religious concerns about the ethics of abortion». The abortion discourse is highly contested such that the “pro-life and pro-choice” debate remains polarised in Zimbabwe (Tichagwa 1998, 63). Such division suggests that abortion discourses separate ‘true’ Zimbabweans from seemingly ‘unpatriotic’ citizens who counter ‘nationalistic’ views of the practice.

The politics of gender and sexuality among young women in Zimbabwe hint at how contested the discourse of abortion is. Although young women in Zimbabwe have very limited access to information, let alone contraceptives that are supposed to minimise cases of teenage pregnancy and sexual infections, the law clearly discerns who should have unrestricted access to reproductive health services. For instance, the only time provision of family planning supplies to a minor, below 16 years, becomes legal, is when «parental consent is given or when they are married» (Mashamba and Robson 2001, 275) because the risk of sexual infection increases indisputably. Research

⁶See CEDAW/Zimbabwe 1998, paragraph 159

findings paradoxically point at incidents of denied access to contraceptives for sexually active adolescents regardless of the legal waiver⁷. Central to state regulation of women's bodily rights is the awkward position that young women find themselves in as they can neither abort «nor continue their schooling when they fall pregnant»⁸ (see also Kambarami 2006). This gendered regulation leaves pregnant teenagers and reproductive rights and health activists grappling with the realities of living through a gendered body in Zimbabwe. One can surmise that the realisation of (human) rights – a discourse that has conventionally served as a foundation on which notions about constructing the 'new nation' have been premised – is somewhat questionable in Zimbabwe.

While the elderly women concur with scholarship on the challenge of teenage pregnancy in the country, narratives such as «there are so many pregnancies and incidents of abortion [in this area]» clearly expose how young women resort to backyard abortion irrespective of the legal consequences. It is noteworthy that the elderly women do not merely condemn the child for 'bad morality' from a cultural or legal perspective. Rather, their narratives reveal deliberate efforts to analyse, theorise and debate around the interplay between body politics and the broader social structures that shape everyday life. Mbuya Tamba reveals that some girls are impregnated by men they hardly know because they are dependent on using sex as a means of surviving. When Mbuya Rava describes the circumstances under which these girls fall pregnant, she emphasises the shortness of courtship, «They just get pregnant after dating for a short period of time...and the boy does not accept responsibility at all! » She sees backyard abortion as a coping strategy, which most of these young women adopt when they realise that they cannot raise a baby on their own, «Of course they are forced by circumstances to abort at home using traditional medicine, but it is not allowed in Zimbabwe. » The image becomes that of young women exercising their agency by having backyard abortion against all odds. Mbuya Tamba further highlights that the only option that pregnant girls have in the absence of abortion is living with their parents, but she finds this option problematic because grand/parents have absolutely nothing to give the young woman and her child. It is evident that the elderly women's

⁷See CEDAW/Zimbabwe 1998, paragraph 148

⁸See CEDAW/Zimbabwe 1998, paragraph 150

analyses of the young women's trajectories are not narrowly culturalist. Rather, they reflect that the choices and strategies that these young women employ are heavily embedded in the restrictive legal structure as well as the realities of living through a gendered body in contemporary Zimbabwe – a space rent by economic and socio-political divisions.

The realities of young Zimbabwean women captured by Mbuya Tamba's narrative «these girls abort, and others even give birth and dump the babies» legitimise the widespread call for the removal of regulatory and social barriers to reproductive health information and care for adolescents by different United Nation agents. The situation of the young generation in Zimbabwe is worrisome, they have very limited access to sex information, let alone contraceptives that are supposed to minimise cases of teenage pregnancy and sexual infections as well as the eventual need for abortion, whether legal or illegal.

6. Body politics and gendered citizenship

The article has drawn on the gendered politics within Zimbabwe's legal frameworks that have conventionally regulated marriage patterns, family planning, and the intrinsic violation of women's reproductive and sexual rights. What is enlightening about these discourses is that they convey an interesting story about often understated intersections between gendered identities, rights and citizenship discourses in Zimbabwe. It has emerged that as the state polices women's bodies, it not only (re)defines the terms of living through a gendered body within national boundaries but it also reveals the link between reproductive rights and nationhood discourses. The meaning of 'being Zimbabwean' for citizens gendered as women is often framed in terms of the incessant control of their bodies and their freedom to dispose of those bodies through cultural ideologies, the legal framework and national laws. As such, this article has exposed the meaning of 'being nationalized' through discourses on state control of its citizens, particularly women's bodily rights and sexuality often justified by reason of longstanding traditional or customary practices. The elderly women's narratives of

motherhood for example suggest that the legal and cultural discourses policing women's access to abortion are deeply embedded in the nationalist procreative meaning attached to the woman's body in Zimbabwe. Beyond Zimbabwe, this procreative discourse could be observed in other African nations as evidenced by Obbo's (1989) findings from Uganda. Obbo (1989) asserts that when women's core duty in nation-building projects is reduced to being a mother, women are seen as demonstrating their allegiance to the nation by bearing children. It therefore appears that as the state prohibits women full access to abortion services in the country, it simultaneously reinforces a woman's procreative function as if to ensure that she fulfils her patriotic duty of giving birth to future inhabitants (see Yuval-Davis 2006, 209). It is clearly discernible that women usually (re)negotiate the meaning of citizenship in the face of conservative policies on abortion, contraception and marriage.

The procreative function becomes the very foundation of a woman's gendered relationship and engagement with the state, evident in the way the state polices her access to legal abortion among other services. Such gendered political structures have resulted in a fight between "pro-life" and "pro-choice" activists in Zimbabwe (Tichagwa 1998, 63), but this battle is not unique to Zimbabwe. Similar tensions have emerged in other nations where pro-natalists critique progressive frameworks that sanction abortion (Bennett 2011, 78) in ways that undermine women's rights to services. Negative perceptions of infertility and contraceptives in Uganda also indicate the gendered policing of citizen's bodies and sexualities (Obbo 1989, 79). Vickers' (1990, 485) «battle of the cradle» exposes how the state controls women's bodies from the circumstances under which women reproduce to the number of children and rights over those children (see Peterson 2000, 64). Questions dictating the "when and how" of procreation (Ranchod-Nilsson and Tétreault 2000, 5) or state frameworks policing "with whom" one could engage sexually (Tamale 2011, 3) strip women of their reproductive and sexual rights.

Collectively, the thematic areas explored in this article deploy socio-cultural, legal and political forces to critically expose how abortion as a discourse and practice that engages with the politics of gender and sexuality interacts with questions of citizenship in Zimbabwe. The discourse of abortion becomes that discursive lens through which

researchers analyse the role of the state in controlling women and their sexualities. I have specifically mapped and profiled conservative approaches to marriage and contraception – discourses whose resurgence has been key to interpreting the tone of ‘rights-based debates’ and the meaning of such for «sexual bodies and sexual citizens» (Bennett 2011, 79). Largely, the article has critically explored «the social, cultural and legal constructions of sexuality as they intersect with gender» (Tamale 2011, 607) and the impact of such on discourses around reproductive rights in Zimbabwe. The analysis of the gendered nature of these constructions suggests that the law in Zimbabwe intersects with acceptable discriminatory customary practices such as *lobola*, which hinders the process of women empowerment in every sense of the word (Masenda-Nzira 2003, 3). That intersection for Parpart and Staudt illuminates how «states institutionalise men’s control of women’s productive and reproductive labour» (see Turshen 2001, 86). This analysis distinctly exposes how customary practices are constantly in tension with fundamental international documents on sexual and reproductive health rights from where countries are expected to ground their national policy frameworks.

7. Concluding remarks

The conclusions arrived at here concur with assertions made in this article that hegemonic cultural belief systems impede practical efforts to minimise gendered violation of women’s rights in Zimbabwe. Denying women access to contraceptive is contrary to the Cairo document, which clearly spells out that human rights encompass the recognition of «the right of all couples and individuals to decide freely and responsibly the number, spacing and timing of their children and to have the information and means to do so» (Nair *et al.*, 2004, 4), a definition which hints at a woman’s right to terminate the pregnancy should she wish to do so. The overall underlying perception is that cultural practices often intercept comprehensive implementation of the Cairo and Beijing policy recommendations in Zimbabwe, and I

am compelled to claim that Zimbabwe has a long way to go when it comes to achieving the human rights principles expressed in the Cairo document.

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