

Abortion established as a constitutional right in France

written by iasexam.com | 07/03/2024



Context

France has recently become the first country to explicitly guarantee a woman's right to choose to have an abortion by enshrining it in its constitution.

Abortion status in France

- Abortion is the most commonly supported conception of France and was first legalised in 1975. This is the type of episode that causes most people to imagine the past as something torn from a book that is then going through a re-writing phase.
- Article 34 of the French Constitution empowers the French Parliament to pass laws as it deems necessary related to abortion, specifically, prescribing the rules and guidelines for such procedure, deciding when and under what circumstances abortion is permitted, and keeping track of the healthcare facilities that provide their services to women undergoing the procedure.
- The bill was backed by all parliament members, a fact which is considered a big success for the women's rights activists. This victory has become a reference point in the current campaign for women's reproductive rights.
- It was a constitutional amendment on which the proponents garnered huge support and in doing that they enhanced the legal foundation for the abortion rights and as a result of this they protected them from the chances of being reversed by the subsequent administrations.
- A particular vote was held after the ban in Versailles Palace with 780 votes for

changing Part 34 of the French Constitution and 72 votes against it.

- The amendment's purpose is to let women have the which is a right that has already been clearly specified in the constitution.
- Our Prime Minister also mentioned that the women had the right to know their options.
- This part of the material has obtained a lot of public approval which polls indicate that more than 80% of French people are in favour of legalised abortion.
- The amendment serves the purpose of responding or as an antidote to the U.S. Supreme Court decision to revoke the Roe v. Wade case.
- Yet, it has been confronted with objections from those who have been against abortion from the political perspective, and some religious groups who view it from the political angle and stand against it.
- Among those criticisms is the idea that this present government is simply trying to use Amendment 1 to their political benefit.
- Clerics of religious faiths have critically opposed the expression and questioned the pros and benefits of legalisation, considering life forms and mankind.

Abortion status of India

- India is in the second place in the incidence of unsafe abortions, and it was estimated that 8 women might die from complications that are related to unsafe abortion every day. Between the years of 2007-2011, 67% of women were called 'Unsafe Abortions' in India.
- Across the world every year the number of unintended pregnancies is as many as 121 million. Every 7th one of them is from India.
- The oldest age group of these women are prone to abortion related problems accounting for most deaths.
- As per Indian abortion rules, abortion can be done up to 20 weeks from the time of conception and moreover the year 2021 saw an amendment in the law where the limit has been extended to 24 weeks in some situations. Switching to the mode of cases containing foetal disabilities leads to decisions to abort being unfettered and approval of the medical board sufficing.
- The area of "foetal viability" will create a hindrance in the breakthroughs made in the rights to abortion campaigns.
- India is termed as an advanced country, at least in comparing the conditions with abortion in many countries especially the US.

Global Concerns regarding Abortion

- A significant number of induced abortions occur globally each year, with around 73 million taking place.
- The majority of unintended pregnancies end in induced abortion, with 61% resulting in this outcome.
- Unsafe abortions are common, accounting for 45% of all abortions, and are predominantly seen in developing countries.
- These unsafe procedures contribute to maternal deaths, but their occurrence can be prevented.
- The World Health Organization has classified abortion procedures into safe, less-safe,

and least-safe categories.

- According to a study conducted from 2010 to 2014, 54% of abortions were classified as safe, 30% as less safe, and 14% as least safe.
- The majority of least safe and less safe abortions occurred in the developing world.

Conclusion

- The amendment passed in France marks a significant step forward, as it ensures that a woman's decision is not influenced by patriarchal beliefs or moral judgments.
- This sets a positive example for future legislation regarding women's rights and autonomy.

Source: [The Hindu](#)

UPSC Prelims Practice Question

Q. Which of the following European countries has established abortion as a constitutional right?

- | | |
|------------|-----------|
| a. Germany | b. France |
| c. Italy | d. Spain |

Ans - "b"