

France Makes Abortion A Constitutional Right

Why In News

- French lawmakers on March 4 overwhelmingly approved a bill to enshrine **abortion rights in France's constitution**, making it the only country to explicitly guarantee a woman's right to voluntarily terminate a pregnancy.

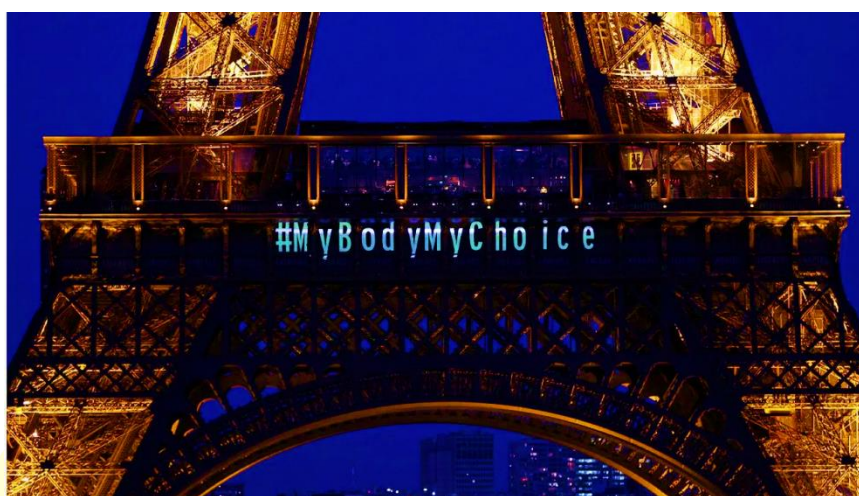


All You Need To Know

- France has **scripted history by becoming the first country** to include the right to abortion in its Constitution. French lawmakers convened a joint session of Parliament at the **Palace of Versailles**, to amend the **1958 Constitution** to enshrine women's **“guaranteed freedom”** to abort.



- The bill was passed in an overwhelming **780 votes against 72, resulting** in a long-standing ovation in the Parliament.
- This comes after the **French Senate voted on 28 February** to guarantee access to terminate a pregnancy in its basic law.
- Abortion rights activists gathered in central Paris cheered and applauded as the **Eiffel Tower scintillated in the background** and displayed the message "**MyBodyMyChoice**" as the result of the vote was announced on a giant screen.



- Abortion rights are more widely accepted in France than in the United States and many other countries, with polls showing **around 80% of French people** back the fact that abortion is legal.
- "We're sending a message to all women: your body belongs to you and no one can decide for you," Prime Minister Gabriel Attal told lawmakers ahead of the vote.
- Women have had a legal right to **abortion in France since a 1974 law** - which many harshly criticised at the time.
- But the **U.S. Supreme Court's 2022 decision** to reverse the Roe v. Wade ruling that recognised women's constitutional right to abortion prompted activists to push France to become the first country to explicitly protect the right in its basic law. "This right (to abortion) has retreated in the United States. And so nothing authorised us to think that France was exempt from this risk," said Laura Slimani, from the Fondation des Femmes rights group.



- "There's a lot of emotion, as a feminist activist, also as a woman," Slimani said.
- **Vote enshrined in Article 34 of the French constitution** that "the law determines the conditions in which a woman has the guaranteed freedom to have recourse to an abortion".
- **"France is at the forefront,"** said the head of the lower house of parliament, Yael Braun-Pivet, from French President Emmanuel Macron's centrist party.
- The French amendment is an explicit response to the trend seen in countries like **Hungary, which, in 2022,** placed significant bureaucratic hurdles before women seeking an abortion, and **Poland, where a near total ban was imposed in 2021.**
- The 2022 overturning of the **US Supreme Court's ruling in Roe v Wade (1973)** set alarm bells ringing.



- While the global movement of abortion rights has largely been towards greater liberalisation — **Ireland in 2018 and Mexico in 2023** — these developments underline the continued vulnerability of women’s right to bodily autonomy in a society that remains stubbornly patriarchal.
- In India, where the legal framework on reproductive rights has incrementally moved in **favour of women’s autonomy**, the test of **“foetal viability”** is a new factor that could potentially set back progress made over the years.



- In 2023, this was seen in the case of a woman seeking medical termination of her **26-week pregnancy**, citing physical and mental incapacity.
- The SC denied her the abortion in the interest of the rights of the unborn child. Such decisions also point to the moral value ascribed to what is, in essence, a deeply personal matter.
- **France’s amendment, therefore**, sets a welcome precedent, in which neither patriarchy nor morality gets to have a say in what is, essentially, a woman’s decision.