

U.S. Abortion Law in Comparison with the Globe

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Key Points

The United States is one of only six nations in the world to allow abortion on demand through all nine months of pregnancy. The other nations are North Korea, China, Vietnam, Canada, and South Korea.

Only three European nations allow for abortion after 15 weeks.

Around the globe, 77 countries outlaw abortion completely or only allow abortion where the woman's physical health is at risk.

Summary

he topic of abortion is among the most heated and controversial issues that mankind faces in the modern world. It touches the legal code of every country, as some parts of the globe restrict abortion entirely while others impose no prohibitions at all. As the progression of pre-natal science continuously verifies that the unborn child in the womb is a human being, the assertion that abortion is a human right becomes more and more detached from reason.

Alongside Canada, China, Vietnam, and both North and South Korea, the United States is one of only six nations in the world whose national law allows abortion at any point through the entirety of pregnancy.

The extremity of U.S. abortion law comes into conflict with the opinions of the vast majority of its citizens. According to the Associated Press, 65 percent of Americans believe that abortion should almost always be illegal in the second trimester. A

further 80 percent believe the same in the third trimester. This statistic means that 80 percent of Americans oppose the legal standards for abortion in their own country.

This analysis will consider data on several common types of legal restrictions that countries around the world place on abortion. The recognized age of viability is around 22 weeks; some nations incorporate this milestone in their legal statutes on abortion. Some countries restrict using a trimester system; the first trimester runs from conception to 12 weeks of gestation, the second trimester runs from 13 to 26 weeks, and the third trimester runs from 27 to 40 weeks or birth.² Other prohibitions considered include restricting abortion except in the case of rape, incest, or fetal abnormality. Finally, many countries' laws on abortion include mentions of exceptions when the mother's life, health, or mental health are considered to be at risk, or when the child would be a financial burden to the mother.

Overview of U.S. Abortion Law

The current baseline for abortion law in the United States was established in 1973 with the *Roe v. Wade* Supreme Court decision. The jurisprudence of *Roe* legalized elective abortion on demand through all nine months of pregnancy. As part of the decision, states were given the authority to regulate abortion based on a trimester framework. States were not permitted to restrict abortion whatsoever in the first trimester. In the second trimester, states could limit abortion in ways that protect the health of the mother, and in the third trimester, states could outlaw abortion entirely. It is important to note that the legal jurisprudence of *Roe* allowed states to outlaw abortion in the third trimester but did not mandate that they do. Therefore, if a state takes no legal action to restrict abortion, the default law allows legal abortions through all nine months of pregnancy.

The first substantial challenge to the standards set by *Roe* came almost 20 years later in the 1992 *Planned Parenthood v. Casey* case. This ruling determined that states could not establish a pre-viability restriction on abortion that caused an "undue burden" to the mother, thus replacing the trimester system of *Roe* with a viability framework. At the time that the "right" to abortion was first created

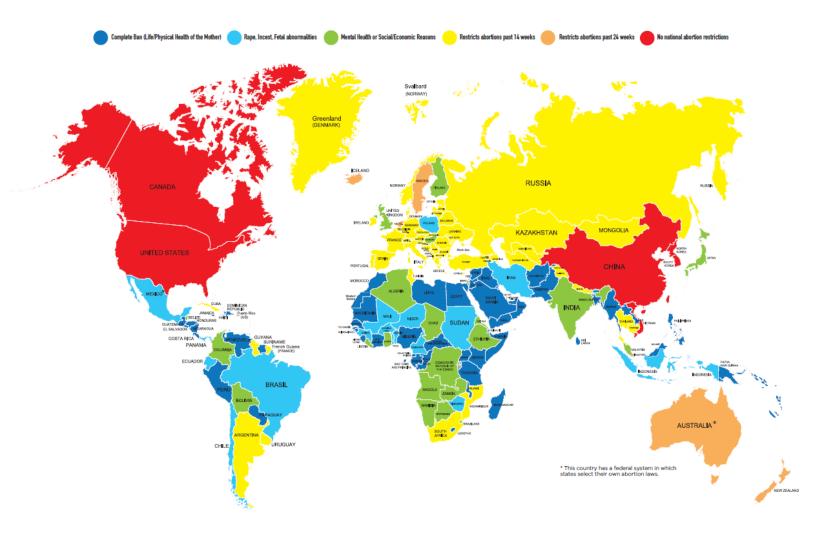
through *Roe*, the gestational age of viability was around 28 weeks; because of modern advances in prenatal health care, viability today is closer to 22 weeks.³

Nearly three decades after *Casey*, the U.S. Supreme Court faces a new contradiction to the abortion laws of the land. The Court has decided to take up the *Dobbs v. Jackson Women's Health Organization* case in consideration of a 15-week ban on abortion in the state of Mississippi. This ban, titled House Bill 1510 or the "Gestational Age Act," was enacted in March of 2018. The Act ensures that abortion cannot be carried out on an unborn human if the probable gestational age exceeds 15 weeks except in the event of a medical emergency or severe fetal abnormality.^{4 5}

The *Dobbs* case has garnered the attention of the nation because of the direct challenge that it presents to the precedents of *Roe* and *Casey*. Since the 15-week ban constitutes a restriction prior to viability, Jackson Women's Health Organization, the last licensed abortion facility in Mississippi, has filed suit to challenge the law's constitutionality. The Court will consider the question of "Whether all previability prohibitions on elective abortion are unconstitutional." If the Court were to overturn the precedent of *Roe* and *Casey*, the laws of 21 states with currently unenforceable statutes that restrict abortion pre-viability would go into effect.

As Americans prepare for a decision that could transfer the power to legislate on abortion back to the states, it is important to consider where the nation falls in terms of global restrictions on abortion. Though Mississippi's 15-week ban has created immense controversy in the United States, such a restriction is more permissive than the majority of abortion laws around the world.

Abortion Laws Worldwide



The Americas and the Caribbean Comparison

General Analysis

In the region of the Americas and the Caribbean, six out of 34 nations completely prohibit abortion. For those that do allow some legal abortion, 23 out of 34 only allow for it in specific exceptions and never on an elective basis. Only three out of 34 nations in this region allow for abortion through 12

weeks of pregnancy—Argentina, Cuba, and Uruguay. Out of all 34 nations in this region, only Canada and the United States allow for elective abortion through all nine months of pregnancy.

Canada

The United States and Canada both rank among the top six least abortion-restrictive countries in the world. Though this liberality of abortion access in the United States relies on Supreme Court precedent, Canada denies personhood to the unborn within their legal code. According to Canada's criminal code, "A child becomes a human being within the meaning of this Act when it has completely proceeded, in a living state, from the body of its mother [...]."

Canada's personhood argument is purely locational; it claims that children earn the right to humanity once they relocate several inches from inside of their mother's womb to outside of their mother's womb. This justification for unlimited abortion access is severally flawed. Modern science proves that infants in the womb are living persons from the moment of conception, the point at which the zygote comes into existence. This zygote possesses a complete set of unique human DNA that determines traits which will not be visible until childhood or adulthood, such as hair and eye color, sex, and even personality traits. ¹⁰ ¹¹ Any recognition of personhood based on a standard other than human DNA is arbitrary and a denial of the scientific evidence of when life begins. ¹²

Canada's law also raises the question of laws addressing the situation in which a child survives an abortion and is miraculously born alive. In such a case, even by Canada's extreme and unscientific standard for personhood, the child would undeniably be a living, breathing human worthy of receiving care and, if necessary, life-saving medical attention. In Canada, however, there is no law requiring that medical professionals provide care for children who are born alive after attempted abortions, thus demonstrating Canada's apathy toward the issue of infanticide. The discrepancy between Canada's written definition of life beginning at birth and the lack of protections for all children born alive affirms the nation's status as an enemy of human rights.

Dominican Republic and Honduras

Abortion is completely prohibited in the Dominican Republic and Honduras. In the Dominican Republic, the law says, "The State is founded on the respect for the dignity of the person and it is organized for the real and effective protection of the fundamental rights inherent to it. The dignity of the human being is sacred, innate and inviolable; its respect and protection constitute an essential responsibility of the public powers." The Dominican Republic offers an argument for the state as being created to defend the dignity of the human being, which stands in stark contrast to nations where the state has become an agent of the abortion industry and sanctions the practice without regard for its role to protect all citizens.

The Honduran legal code states, "The unborn shall be considered as born for all rights accorded within the limits established by law." This phrasing provides an example of a consistent perspective of human life that clarifies the question of when a citizen becomes the recipient of legal rights. The recognition of the unborn as citizens in these two Latin American nations provides a helpful example of government fulfilling its rightful role as the protector of human rights.

Guatemala

Guatemala recently demonstrated its pro-life convictions by signing on to the Geneva Consensus Declaration (GCD)¹⁵—an effort initiated and led by President Trump and signed by over 30 nations to affirm that there is no international right to abortion.¹⁶ Though President Biden withdrew the United States from the GCD in February of 2021, Guatemala's recent signing proves the lasting global impact of the pro-life Trump administration's efforts to join nations together to oppose the abortion extremism of the United Nations and the World Health Organization.

Commenting on the decision to join the GCD, President Alejandro Giammattei stated, "Every person has the right that their life be respected from the moment of conception until natural death." This statement is consistent with Guatemala's own law, which prohibits abortion in all cases except to

protect the life of the mother. It also proves that Latin American countries are willing to overcome the international bullying of the United Nations and influential superpowers like the United States to stand firm on their ethical convictions about human rights.

Argentina and Mexico

In January of 2021, Argentina passed an expansive new law that legalized abortion on demand through the first 14 weeks of pregnancy. This move—which is strikingly out of character for a Latin American nation where over 80 percent of citizens are religious—demonstrates the immensely destructive influence of the international abortion lobby. Argentina has been pressured by the United Nations for decades to legalize abortion; according to Argentinian Catholic priest Fr. José María di Paola, legalizing abortion was a prerequisite from the International Monetary Fund before addressing the nation's unstable economy and crushing national debt. 18

After the Argentinian government caved to international pressure and expanded abortion access, the "Green tide" feminist movement rejoiced, believing that the new law signaled a rising progressivism rather than the inevitable consequence of economic desperation and western imperialism. Several months later, fueled by pressure from feminist extremists and ideological confusion, Mexico followed Argentina's lead.¹⁹ In September of 2021, the Mexican Supreme Court voted to decriminalize abortion following a case in the state of Coahuila in which women were imprisoned for receiving abortions.²⁰ In this instance, the federal government did not legalize abortion, but rather has made it possible for all of the individual states to legalize abortion if they choose, beyond the four states in which abortion through 12 weeks is already legal.

Even in light of extreme international manipulation, Argentina legalized elective abortion only through the first 14 weeks of pregnancy—or 10 weeks earlier in gestation than the viability standard in the U.S. allows for states to restrict abortion, and one week earlier in gestation than Mississippi is attempting to restrict abortion in the *Dobbs* case. In Mexico, the decriminalization of abortion has given states the

jurisdiction to create their own restrictions on abortion legality—a right that American states have been fighting for since *Roe* stole their autonomy in 1973.

Europe Comparison

General Analysis

In Europe, the vast majority of nations (39 out of 51) restrict elective abortion to the first 12 weeks of pregnancy. Four European nations prohibit abortion entirely, and five nations allow abortion only for special exceptions and never on an elective basis. Only three out of 51 nations allow for elective abortion past 15 weeks—and zero nations in Europe allow for elective abortion past 24 weeks.

Andorra

Andorra is one of only three European states in which abortion is completely prohibited without exceptions. The Andorran Constitution bans abortion on the principle that it, "recognizes the right to life and fully protects it in its different phases." The manifestations of this right to life in Andorra also include that, "All persons have the right to physical and moral integrity. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

In Andorra, the unborn receive a twofold protection from abortion based not only on the grounds of their right to life, but also in light of the torturous nature of abortion procedures. Procedural abortion compromises not only the life but also the "physical and moral integrity" of unborn babies by ripping apart their bodies limb by limb in order to extract them from their mother's wombs. According to a study from the National Institutes of Health, children in the womb are "extremely sensitive to painful stimuli" because "pain inhibition mechanisms are not sufficiently developed [...] leading to increased intensity of pain in the fetus." The people of Andorra have recognized both the right to life and the brutality of abortion procedures.

Malta

Malta is another pro-life stronghold in Europe that has maintained a complete prohibition on abortion. According to the legal code of Malta, citizens are entitled to the rights of, "life, liberty, security of the person, the enjoyment of property and the protection of the law." In Malta, unborn citizens safely receive their full rights by being protected from life-ending and torturous abortion procedures.

The law in Malta also includes a provision stating that, "the enjoyment of the said rights and freedoms by any individual does not prejudice the rights and freedoms of others or the public interest." This means that, though abortion advocates could argue that a woman has the right to liberty over her own body, the law of Malta would contradict this claim by recognizing the presence of two lives and ensuring that the freedom of the mother does not take priority over the right to life of the child.

It is significant to note that the maternal mortality rate in Malta, a nation where abortion is outlawed, is only six deaths per 100,000 live births;²² in the United States, where elective abortion is accessible through all nine months of pregnancy, the maternal mortality rate is 17.4 deaths per 100,000 live births.²³ This comparison clearly dispels the argument that access to abortion is necessary to lower the maternal mortality rate.

Iceland

On the darker side of the abortion issue in Europe, Iceland is one of three nations (along with the Netherlands and Sweden) on the continent that allows for elective abortion past 15 weeks. By way of reminder, the 15-week threshold is the same limit being considered in the *Dobbs v. Jackson Women's Health Organization* case and is nine weeks prior to the gestational limit for elective abortion currently maintained in the United States by *Roe* and *Casey*.

The tragic consequences of allowing for elective abortion and a false narrative about the value of human life has led to a devastating impact on the population of people in Iceland with Down syndrome. Due

to increased rates of prenatal testing, nearly 100 percent of mothers in Iceland who receive a prenatal Down syndrome diagnosis for their child choose to abort.²⁴

Africa Comparison

General Analysis

In Africa, abortion is completely prohibited in nine out of 54 countries. For 41 nations in Africa, women can only undergo abortions in specific circumstances and never on an elective basis. There are only four countries in Africa where elective abortion is legal in the first 12 weeks of pregnancy. There is no nation in Africa where elective abortion is legal past 12 weeks.

Kenya

Kenya is a representative example of many African countries where abortion is not culturally condoned, yet the government has been pressured to ease restrictions or risk losing needed humanitarian aid from the United Nations or powerful nongovernmental organizations (NGOs). According to the Kenyan constitution, "every person has the right to life" and "the right to life begins at conception." A new form of colonialism led by western nations has particularly targeted Kenya, with international NGOs such as western funded MSI Reproductive Choices, which in 2020 changed its name from Marie Stopes International because of its founder's ties to eugenics, promoting abortion under the umbrella of improving sexual and reproductive health. ²⁶

The statistics of "dangerous backstreet abortions" are commonly cited among arguments from the proabortion movement seeking a foundation for legalizing abortion around the globe.²⁷ In reality, however, all abortions are dangerous—every "successful" abortion ends in the death of at least one living human being. Throughout his term in office, President Trump enforced the Mexico City Policy, even expanding it under the net title Protecting Life in Global Health Assistance. These executive actions prohibited U.S. government departments or agencies from utilizing taxpayer dollars to fund NGOs that promoted abortion abroad.²⁸ Immediately after assuming office in January, President Biden repealed the Protecting Life in Global Health Assistance in order to resume funding abortion abroad as a form of "family planning services" offered by NGOs.²⁹

Money is a finite resource, and funding for abortion businesses diverts funds from clean water, real health care, and education. Nations have the right to make their own laws protecting life, and paternalistic, ideological, colonialist organizations should not demand legislation allowing abortion as ransom for much needed material aid. Abortion is not what African women want or need; in fact, it is antithetical to their cultural traditions and moral convictions.

Nigeria

Nigeria poses yet another example of the ideological colonialism of the international abortion lobby, which functions largely through pressure and manipulation from the United Nations on developing countries. In Nigeria, abortion is legal in the nation only to save the life of the mother.

The United Nations, however, is willing to take any approach necessary to advance their progressive pro-abortion agenda—even exploiting the rape victims of the Islamist terrorist group Boko Haram. In a 2018 statement, the UN reaffirmed their desire to advance abortion in developing nations, stating that they "urged governments across the world to decriminalise abortion and enhance their progress towards ensuring the right of every woman or girl" to undergo an abortion. The statement went on to claim that abortion is a "precondition for the enjoyment of other rights and freedoms."³⁰

Boko Haram has terrorized Christians in Nigeria for decades. Yet instead of prioritizing efforts to combat the violence and crimes against humanity committed by Boko Haram, the United Nations has zoned in on utilizing the terrorist group's actions to manipulate Nigerians into legalizing abortion,

arguing that women who are raped by Boko Haram should be able to undergo abortion. The UN explicitly stated, however, that legalizing abortion in cases of rape was not sufficient to make Nigerian women who were raped feel comfortable undergoing abortions because abortion is widely regarded as a crime in Nigeria. The UN therefore suggested that Nigeria legalize abortion in all circumstances so that the women undergoing abortions in cases of rape would not feel stigmatized.³¹

The United Nations has not only failed to protect the women of Nigeria from the attacks of Boko Haram but has also attempted to exploit their suffering for the sake of legalizing abortion in a nation where the population believes abortion to be a grave injustice.

South Africa

In South Africa, the Choice on Termination of Pregnancy Act, enacted on February 1, 1997, legalized first trimester abortion on demand.³² After the first trimester, abortions may be carried out up until 20 weeks of gestation in cases of physical or mental health of the mother, fetal anomaly, conception as the result of rape or incest, or continuation of the pregnancy causing a social or economic burden on the woman. After 20 weeks of pregnancy, abortion is legal in cases of life of the mother, severe fetal anomaly, or risk of injury to the fetus.³³

Following the passage of the Choice on Termination of Pregnancy Act, Planned Parenthood Association of South Africa conducted "values-clarification" workshops in hospitals in an effort to encourage doctors to carry out abortions and include abortion procedure training as part of medical providers' regular training programs.³⁴

MSI has abortion businesses across the country, and the New York based International Women's Health coalition is working to remove conscientious objections for those who do not wish to carry out abortions in South Africa.³⁵ South Africa is not immune to the ideological colonialism that Westerners inflict on the rest of the continent.

Asia and the Middle East Comparison

General Analysis

Though Asia and the Middle East boast four of the most pro-abortion countries around the globe, elective abortion through all nine months in China, North Korea, South Korea, and Vietnam poses an extreme outlier to the norms of the region. Aside from the extreme four, only one nation out of 41 allows for elective abortion past 12 weeks, and only seven out of 41 allow for elective abortion within the first trimester. The majority of nations in this region—26 out of 41—only allow for abortion in special circumstances and never on an elective basis. In Asia and the Middle East, three countries completely prohibit abortion.

Afghanistan

Though abortion in Afghanistan is only legally permitted in cases when the woman's life is deemed to be in danger, the tragic cultural circumstances surrounding abortion in Afghanistan are particularly noteworthy. ³⁶ Because of the unforgivingly harsh nature of Sharia law, unmarried women who become pregnant are seen as a disgrace to their family and are often tortured, mutilated, or even killed if their pregnancy is discovered, causing women to see abortion as their only option for survival if they become pregnant out of wedlock. Likewise, however, abortion is also considered to be a shame on a family, and a woman may be killed by her husband if he learns that she has procured an abortion. ³⁷

While unborn lives may be more highly protected in Afghanistan than in other nations around the globe, it is evident that human rights are not a priority for the Islamist theocracy. Ignorant commentators have attempted to equate the Texas Heartbeat Act (SB 8), which limits legal abortion in the U.S. state to prior to detection of a fetal heartbeat, to the plight of women living under Taliban rule in Afghanistan.

There is no legitimate comparison between the Afghan model, which stigmatizes premarital pregnancy and restricts the daily activities of women, and a democratic nation recognizing the right to life of unborn children and protecting them because of their inherent dignity. Caring for the wellbeing of the unborn and the wellbeing of women are not mutually exclusive tasks. Comparing the lifestyles of American women, who face no legal discrimination and are afforded every human right that men are, and those in Afghanistan living in fear of Sharia law diminishes the true suffering of the female population in much of the Middle East.

Philippines

As a largely Catholic country, the Constitution of the Republic of the Philippines includes the right to life for the unborn child: "The State recognizes the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution. It shall equally protect the life of the mother and the life of the unborn from conception…" The Constitution of the Philippines goes on to criminalize abortion and all who participate in it. If the abortion is committed against a woman's will, she is not punished for the abortion; however, doctors, midwives, pharmacists, and parents are. If a woman consents to an abortion, she may also receive jailtime for the offense.³⁸

There has been debate as to whether the Constitution of the Philippines outlaws abortions to save the life of the mother; however, the Constitution of the Philippines equally protects the mother and the unborn child. The Population Division of the United Nations Department of Economic and Social Affairs lists the Philippines abortion policy as legal to save a woman's life, noting Filipino laws on abortion do not "expressly allow abortion to be performed to save the life of a woman, but general principles of criminal legislation allow abortion to be performed for that reason on the ground of necessity."³⁹

In 2012, the New York-based Center for Reproductive Rights (CRR) pushed to legalize abortion in the Philippines, arguing that thousands of women undergo "unsafe" abortions.⁴⁰ The ideological colonialist group CRR has been working to liberalize the Philippines' abortion laws for over a decade.

In 2014, the U.S.-based CRR co-founded the Philippine Safe Abortion Advocacy Network (PINSAN). In 2020, PINSAN made history by becoming the first Filipino group to propose legislation to decriminalize abortion. The Philippines presents yet another example of western nations imposing their agenda on the ethical values of another culture, with the lives of children hanging in the balance.

North Korea

In North Korea, the generally subjective laws and the secretive nature of the government make it difficult to determine when women are able to receive an abortion without legal repercussions. Based on the rare available reports, there are no enforced legal restrictions on when a woman can choose to have an elective abortion, making it one of the top five most pro-abortion nations in the world. While the lack of concern for the humanity of the unborn is deeply troubling, it comes as no surprise when considering the extreme torture, degradation, and inhumane treatment that born citizens under the dictatorship of Kim Jong Un suffer.

The topic of abortion in North Korea most commonly arises under the category of forced abortions, which women in prisons are subjected to as a punishment for defecting. Tragically, even infants that are not killed in the womb are often killed before their mothers' eyes after being born as a form of psychological torture. ⁴² In North Korea, no human rights are safe or valued, either for the unborn or for the born. The United States ought to shudder when considering that its default abortion law through *Roe*, which gives access to elective abortion at any point in pregnancy, is comparable to the standards of one of the greatest human rights enemies around the globe.

South Korea

South Korea presents an example of an eastern nation abandoning traditional ethics in order to pursue outdated science on abortion. Though the nation had stuck to a restrictive basis for abortion since the 1960s, a 2020 court order vacated the existing abortion law just as *Roe v. Wade* erased the existing abortion laws of every American state in 1973. Because a second trimester ban could not be decided on

by the end of 2020, the federal abortion ban was completely struck from the law on January 1, 2021, leaving South Korea with no national statute restricting abortion.⁴³

It is significant to note the failure of South Korea to incorporate a modern understanding of science in their establishment of abortion law. The nation has arrived at the same outdated conclusion that the United States reprehensibly established nearly 50 years ago. Though the U.S. Supreme Court has thus far failed to overturn its erroneous abortion law in light of scientific advances, there is no excuse for South Korea's failure to evaluate the evidence that the unborn child is a human when creating a new law.

Countries with Historic Ties to Communism Comparison

Cuba

Cuba has been dominated by the Communist Party created under Fidel Castro since 1965;⁴⁴ uncoincidentally, elective abortion in Cuba was also institutionalized in 1965⁴⁵ and is currently allowed throughout the first 12 weeks of pregnancy. Abortion past 12 weeks is also permitted in instances of rape, presence of a fetal abnormality, economic hardship, and to protect the life, health, or mental health of the mother—in other words, access is virtually unlimited. As in China, late-term abortions in Cuba are done using the drug Rivanol—which causes the child to be prematurely expelled from the uterus and left to die.⁴⁶

Due at least in part to fervent state advocacy for abortion, Cuba boasts the oldest population in Latin America, with some figures showing that in 50 years, almost half of the nation will be over the age of 60.⁴⁷ By the end of the next decade, more Cubans will die each year than will be born.⁴⁸ This demographic crisis, which began with the Communist Party's advocacy for abortion, has been spiraling out of control since the 1960s.

Vietnam

Vietnam ranks among the top pro-abortion nations; elective abortion is available throughout all nine months of pregnancy, though there is a national statute banning sex-selective abortion. Though this law theoretically represents the reality that females are of equal value to males, it nevertheless provides little to no consolation for the unborn. The only measure needed to sidestep this statute is for the mother to claim that her decision to abort is not due to the sex of the baby but due to virtually any other motive. For this reason, sex-selective abortion is a rampant problem; researchers have found "correlations in Vietnam among son preference, the high abortion rate, and the sex ratio imbalance at birth." 49

Vietnam is a key example of the consequences of abortion for women around the world—in particular, the impact on unborn females. In 2014, 113 male children were born for every 100 females in Vietnam. While abortion advocates argue that prohibiting abortion is a sexist imposition on female bodies, the issue of sex-selective abortion in Vietnam demonstrates that abortion is a greater imposition on female bodies by destroying them in the womb on account of their sex. Vietnam exemplifies how abortion creates a cycle of oppression that forces one generation of women to eliminate members of the next generation of women and teaches them that they are inherently less worthy of life.

China

China, though guilty of a deeply mixed history of various human rights abuses that includes coerced abortions and forced sterilization, is surprisingly not among the most liberal nations on the abortion issue. Though abortion is permitted through all nine months, sex-selective abortion in China is currently illegal, making their abortion law more restrictive than the default U.S. law which does not include any standard prohibitions on prenatal discrimination.⁵¹ These restrictions in China exist as a reaction to the infamous one-child policy that the Chinese Community Party (CCP) instituted in 1980. As a result of being only allowed to have one child, the rates of female infanticide and abortions of baby girls grew as parents sought to have a son for their only child.⁵²

Due to the disparity between the male and female populations, China is currently facing a demographic crisis similar to those noted in Cuba and Russia, in which the nation is suffering the consequences of decades of unjust government intervention in the desires of women to produce children. As recently as September of 2021, the Chinese government has stated that they will attempt to limit non-medical abortions in order to promote gender equality and encourage population growth. Though the outcome of this move may be beneficial in protecting the lives of the unborn, it nevertheless does not repair the cultural damage inflicted by the communist government by limiting the reproductive capacities of women.

It is important to note that these legal provisions in particular do not apply to the ethnic minorities whose human rights are not taken into consideration by the CCP, such as the Uyghur Muslims that are being kept in concentration camps in the Xinjiang region. The government has been exposed to have forced Uyghur women to receive IUDs and undergo sterilization and abortion procedures against their will in order to minimize the growth of the minority population.⁵⁴

Russia

Russia, despite its long dark history of human rights abuses, has recently begun to make progress in the right direction in terms of reducing its abortion rate. Currently, Russia limits elective abortion to 12 weeks, allows for abortion for social reasons within 22 weeks, and abortion for medical reasons after 22 weeks.

Though spurred largely by concern about its demographic decline, the state has instituted a new plan to cultivate a culture of life that includes improving "public access to legal, psychological, and medical assistance for pregnant women considering terminating their pregnancies." The plan also includes a goal of ensuring that at least 80 percent of women have a conversation with a doctor before deciding to schedule an abortion. By contrast, in the United States, only 14 states have a requirement for women to receive an ultrasound before deciding to have an abortion. ⁵⁶

Poland

Poland protects unborn children in the womb from abortion in all cases except rape, incest, and life of the mother. On October 22, 2020, Poland's Constitutional Tribunal ruled it was unconstitutional for women to undergo abortion—including cases of "severe and irreversible fetal defect or incurable illness that threatens the fetus' life."⁵⁷

This most recent change in Polish abortion law is undoubtedly the outgrowth of a people who have experienced the complete desecration of human life—first by the Nazis and then by the communists. In the post-World War II era, Poland became a Communist People's Republic. As with other communist countries, abortion was quickly legalized. Early opposition to this tragedy was led by many who were former prisoners of Nazi concentration camps.⁵⁸

As the Solidarity movement—the movement peacefully protesting communist rule in Poland, spurred on by Pope John Paul II's visit to Poland, and led largely by members of the Catholic church—grew in the 1980s, so too, did the pro-life movement.⁵⁹ After communism fell in 1989, the first draft of pro-life legislation was introduced and since then, the pro-life movement has continued to grow.

Analysis and Comparison to the United States

Russia, China, Cuba, and Vietnam all have communist histories (with the latter three remaining communist today), and they all have worked to advance that ideology at points in the past. As evidenced by the use of forced abortions and abortions without consent,⁶⁰ communist nations view unborn children in the womb as a tool.⁶¹

In the 1920s, Russia became the first country to legalize abortion on demand. This action was in line with Karl Marx's desire to dismantle the family.⁶² The legalization of abortion usurps the decision of when to have a child from the parents and surrenders it to the government or to the culture—thereby disrupting the natural place of the family in the societal order. Mothers and their children are not

natural enemies and should not be pitted against one another. The government and the economy are meant to serve the family—the family is not meant to be at the service of the government or the economic system.

In Cuba, eugenic abortions are carried out to lower the infant mortality rate and falsely prop up the Cuban medical system. Russia, China, and Vietnam all have recently increased efforts to limit abortion in their countries. Though the policy in Cuba is intrinsically evil and the attempts to guide women away from abortion in Russia, China, and Vietnam are morally commendable, the intention behind all of these policies is to use human beings as a means to an end—which is a hallmark of the pathway to violating human rights.⁶³

In stark contrast, Poland, a country who had communism thrust upon them, but has since overcome it, values the unborn. Following the success of the Solidarity movement in 1989, support for Polish laws protecting the unborn child's right to life grew. The culture and the laws shifted in Poland. No longer under the rule of communism, the Polish people treat human beings with dignity and respect. Still, Poland's birthrate has lagged behind, demonstrating both that the effects of communism are long-lasting, and that pro-life legislation is not solely responsible for a culture of life.⁶⁴

The United States—though a country often viewed as the antithesis of communism—has voluntarily accepted abortion—an atrocity which is often used as a form of torture in communist countries. Here, though out of touch with Americans' views on abortion, American laws are worse or on par with major human rights violators. Though the American government does not condone forced abortion, coerced abortion is certainly prevalent in American culture. Unsurprisingly, since the legalization and cultural acceptance of abortion on demand in America, the country has also seen the breakdown of the nuclear family and a decline in fertility rates.

The United States must learn from the errors of communist nations around the world. *Dobbs v. Jackson Women's Health Organization*, the Supreme Court case challenging *Roe v. Wade*, is the first opportunity to reverse course.

Conclusions

Around the world, the vast majority of nations restrict abortions at least to some degree. The question is—why? Why do the majority of European countries restrict abortion at 12 weeks? Why do many African and South American countries outlaw abortion except in instances where the mother's life is at risk? Why do 26 nations in the world ban abortion without exception? And why are the majority of countries who allow abortion through 40 weeks notorious human rights violators?

The answer lies in the definition of what abortion is. It is either the killing of an innocent unborn child in the womb, or it is not. If it is not, then the abortion restrictions of all but six nations do not make logical sense. But if—as all scientific research points to—abortion kills an innocent unborn child, then it should be banned across the globe.

In light of the fact that abortion takes the life of a human being, the abortion laws of human rights violators like North Korea and China make sense. These countries do not value human life as being created in the image of God. However, abortion policy in the United States is a drastic departure from the truths Americans hold dear—that "all men are created equal and endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness." The Supreme Court must seize the opportunity that *Dobbs v. Jackson Women's Health Organization* presents to embrace modern science and separate America from human rights violators by defending life.

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