# U.S. Abortion Law in Comparison with the Globe

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## Key Points

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<th>Prior to the overturn of <em>Roe v. Wade</em>, the United States had some of the least protections for unborn children in the world.</th>
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<td>Even after the overturn of <em>Roe</em>, the abortion policies of 20 U.S. states are still comparable to those of notorious human rights abusers China and North Korea.</td>
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## Summary

Abortion is one of the most hotly debated issues in our modern world. It touches the legal code of every country, as some parts of the globe protect life beginning at fertilization while others do not enact any protections for the unborn at all. However, as the progression of prenatal science continues to further verify the humanity of the unborn child, the assertion that abortion is a human right becomes increasingly detached from reason.

Prior to the U.S. Supreme Court’s historic overturn of *Roe v. Wade*, the United States had some of the weakest protections for unborn children in the world; its abortion policies were on par with Canada, China, Vietnam, and North and South Korea. However, now that U.S. states once again have the ability to make their own abortion policies, several have legislated to protect the unborn beginning at fertilization. Meanwhile, 20 U.S. states remain among the most dangerous places in the world for an unborn child.1 And
Despite over 50 percent of Americans opposing the use of taxpayer dollars to fund abortions, several states have passed legislation using state taxpayer dollars to fund this horrific practice in their state.²

These 20 states are not only out of step with most of the world but also with the opinions of most U.S. citizens. According to the Associated Press, 65 percent of Americans believe that abortion should almost always be illegal in the second trimester, and 80 percent believe the same of the third trimester.³

This analysis will explore several common types of legal protections for the unborn that countries around the world have created and how they compare with the 20 U.S. states that do not protect unborn life at any stage. Laws around the globe are based on various criteria. The recognized age of viability is around 22 weeks; some nations incorporate this milestone in their legal statutes on abortion. Some countries use a trimester system; the first trimester runs from fertilization to 12 weeks of gestation, the second runs from 13 to 26 weeks, and the third runs from 27 to 40 weeks or birth.⁴ Other prohibitions considered include protecting life from 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 U.S. Supreme Court’s historic *Dobbs v. Jackson Women’s Health Organization* decision in June 2022 upended what had been the baseline for American abortion law for nearly 40 years. By ruling that there is no constitutional right to abortion, the Court overturned the *Roe v. Wade* decision of 1973 and returned the ability to enact legislation protecting unborn children to the people’s elected representatives.

When the Court handed down *Roe* in 1973, it legalized elective abortion on demand through all nine months of pregnancy. As part of the decision, states were given limited authority to regulate abortion based on a trimester framework. States were not permitted to protect life whatsoever in the first trimester. In the second trimester, regulations designed to protect a pregnant woman’s health—but not to further a state’s interest in potential life—were permitted. In the third trimester, states could
completely protect unborn life from abortion, except when “necessary to preserve the life or health of the mother.” It is important to note that under Roe, abortion through all nine months of pregnancy was the legal default unless Congress or individual states passed laws restricting it.

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 any pre-viability protections for the unborn that caused an “undue burden” to the mother, thus replacing the trimester system of Roe with a viability framework. At the time that Roe first created the “right” to abortion, the gestational age of viability was around 28 weeks; because of modern advancements in prenatal health care, viability today is closer to 22 weeks.

Nearly three decades after Casey, the U.S. Supreme Court heard a new challenge to the abortion jurisprudence of Roe. On December 1, 2021, oral arguments were presented in Dobbs v. Jackson Women’s Health Organization, which concerns Mississippi’s Gestational Age Act. This state law, enacted in March 2018, protects unborn life when the probable gestational age of the unborn child exceeds 15 weeks, with exceptions for a medical emergency or severe fetal abnormality.

The Dobbs case garnered national attention because of the direct challenge it posed to the precedents of Roe and Casey. Since the Gestational Age Act protected unborn life prior to viability, Jackson Women’s Health Organization, the last licensed abortion facility in Mississippi, filed suit to challenge the law’s constitutionality. The Court considered the question of “Whether all pre-viability prohibitions on elective abortion are unconstitutional.” The 6-3 decision in the Dobbs case was delivered on June 24, 2022. The Court overturned the precedent of Roe and Casey and returned jurisdiction over abortion legislation to the states and Congress. With the overturn of Roe and Casey, the legal prohibition on the previously unenforceable statutes of 22 states protecting unborn children pre-viability was removed.

As Americans face a new era of the fight to protect unborn life, it is worth considering how some U.S. state laws compare to those of other countries. Although Mississippi’s 15-week protection created immense controversy in the United States, such a restriction is more permissive than the majority of abortion laws around the world.
The Americas and the Caribbean Comparison

General Analysis

In the region of the Americas and the Caribbean, six out of 34 nations completely protect unborn life from abortion. Twenty-three of the 34 that allow some abortion only allow it in specific exceptions and never on an elective basis. Only three out of 34 nations in this region fail to protect life until 12 weeks of pregnancy—Argentina, Cuba, and Uruguay. Out of all 34 nations in this region, only Canada fails to protect life at any point through all nine months of pregnancy. Twenty U.S. states also fail to do so.
Canada

Canada denies personhood to the unborn within its legal code, making it one of the most dangerous countries for unborn children in the world. 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 the mother’s womb to outside the mother’s womb. This basis for denying personhood to the unborn and justifying unlimited abortion access is unscientific and severely flawed. Modern science proves that from the moment of fertilization (i.e., the point at which the zygote comes into existence), the zygote already possesses a complete set of unique human DNA that determines traits that will not be visible until childhood or adulthood, such as hair and eye color, sex, and even personality traits. The presence of a complete set of human DNA is the best indicator of a living human person. Any recognition of personhood based on a standard other than human DNA is arbitrary and denies the scientific evidence of when life begins.

Even by Canada’s extreme and unscientific standard for personhood, a child who survives an abortion attempt and is born alive would undeniably be a living, breathing human worthy of receiving care and, if necessary, life-saving medical attention. However, Canada currently has no law requiring that medical professionals provide care for children who are born alive after attempted abortions, thus demonstrating an apathy toward the human dignity of abortion survivors and the issue of infanticide. Sadly, Canada’s written definition of life beginning at birth and the lack of protections for all children born alive is more in line with the policies of notorious human rights violators than those of nations that value the sanctity of all life.
Dominican Republic and Honduras

Unborn life is protected beginning at fertilization in the constitutions of both the Dominican Republic and Honduras. The Dominican Republic's constitution 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.  

This assertion that the state is meant to defend the dignity of the human being stands in stark contrast to nations where the state sanctions the practice of abortion without regard for the human dignity of its most vulnerable citizens. As for Honduras, its constitution clarifies when a person becomes a recipient of legal rights: “The unborn shall be considered as born for all rights accorded within the limits established by law.” 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)—an effort initiated and led by the administration of former President Donald Trump and signed by over 30 nations to affirm that there is no international right to abortion.  

Although President Joe 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 effort 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 completely protects unborn life from abortion. It should be noted that this law does not prohibit medical actions taken to save the life of the mother. It also proves that Latin American countries are willing to overcome the international bullying of the UN and influential superpowers like the United States to stand firm on their ethical convictions about human rights.

**Argentina and Mexico**

In January 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. The UN has pressured Argentina 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.

After the Argentinian government caved to international pressure and weakened its laws protecting unborn life, 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. 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. In this instance, the federal government did not legalize abortion but made it possible for the individual states to legalize abortion if they so choose, beyond the four states in which abortion through 12 weeks is already legal.

Despite extreme international manipulation, Argentina legalized elective abortion only through the first 14 weeks of pregnancy. In Mexico, the decriminalization of abortion has given states the jurisdiction to create their own restrictions on abortion legality. Although the *Dobbs* decision places Mexican states
and U.S. states on equal legal footing with regard to their ability to protect the unborn, in effect, all Mexican states protect unborn children after 12 weeks gestation, while 20 U.S. states do not protect children until after they are born.

**Europe Comparison**

**General Analysis**

In Europe, the vast majority of nations (40 out of 52) protect the unborn from elective abortion after the first 12 weeks of pregnancy. Four European nations completely protect the unborn from abortion, and five nations allow abortion only for special exceptions and never on an elective basis. Only three out of 52 nations fail to protect the unborn past 15 weeks, and no European nations fail to protect the unborn past 24 weeks.

**Andorra**

Andorra is one of only three European states in which life is completely protected from abortion without exceptions. The Andorran Constitution bans abortion on the principle that the nation “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 that is based upon their right to life and 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 mothers’ 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 completely protects the unborn from 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, “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, although abortion advocates could argue that a woman has the right to liberty over her own body, the law of Malta would recognize the presence of two lives and ensure 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. In the United States, where elective abortion is still legal in over half the country, the maternal mortality rate is 17.4 deaths per 100,000 live births. This comparison dispels the argument that access to abortion is necessary to lower the maternal mortality rate.

Iceland

Iceland is one of three European nations that do not protect unborn life past 15 weeks; the others are the Netherlands and Sweden. By way of reminder, the 15-week threshold was the same limit the U.S. Supreme Court considered in the Dobbs case. It is nine weeks prior to the gestational limit for elective abortion previously set in the United States by Roe and Casey.

Elective abortion and a false narrative about the valuation of human life have had especially tragic consequences for Icelanders with Down syndrome. Due to increased prenatal testing rates, nearly 100
percent of mothers in Iceland who receive a prenatal Down syndrome diagnosis for their child choose to abort.\textsuperscript{32}

**Africa Comparison**

**General Analysis**

In Africa, unborn children are completely protected from abortion in nine out of 54 countries. For 41 nations in Africa, there are only specific circumstances when an unborn child is not protected, and these circumstances are never elective. There are only four countries in Africa where unborn children are not protected in the first 12 weeks of pregnancy. There is no nation in Africa where unborn children older than 12 weeks are not protected.

**Kenya**

Kenya is a representative example of many African countries where unborn life is culturally valued, but the government has nevertheless been pressured to decrease protections for the unborn or risk losing needed humanitarian aid from the UN 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.”\textsuperscript{33} 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.\textsuperscript{34}

Pro-abortion advocates commonly cite statistics regarding “dangerous backstreet abortions” as part of their efforts to legalize abortion around the globe.\textsuperscript{35} In reality, however, all abortions are dangerous—every “successful” abortion ends in the death of at least one living human being.
The Trump administration enforced the Mexico City Policy, which was first established by Ronald Reagan, even expanding it under the new title Protecting Life in Global Health Assistance (PLGHA) Policy. These executive actions prohibited U.S. government departments or agencies from utilizing taxpayer dollars to fund NGOs that promoted abortion abroad. Immediately after assuming office in January, President Biden repealed the PLGHA Policy in order to resume funding abortion abroad as a form of “family planning services” offered by NGOs.

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 a ransom for much-needed material aid. Abortion is not what African women want or need; in fact, it is antithetical to many African women’s cultural traditions and moral convictions.

*Nigeria*

Nigeria serves as yet another example of the ideological colonialism of the international abortion lobby, which functions largely through pressure and manipulation from the UN on developing countries. In Nigeria, unborn life is completely protected from abortion. Medically necessary procedures performed to save the life of the mother are not illegal, as these actions are not abortions, and Nigeria rightly does not classify them as such.

However, the UN is willing to take any approach necessary to advance its progressive pro-abortion agenda—even exploiting the rape victims of the Islamist terrorist group Boko Haram. In a 2018 statement, the UN reaffirmed its desire to impose abortion on developing nations, stating that it “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.”
Boko Haram has terrorized Christians in Nigeria for decades. But instead of prioritizing efforts to combat the violence and crimes against humanity committed by Boko Haram, the UN has zeroed 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 an abortion. However, the UN explicitly stated 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. Therefore, the UN suggested that Nigeria legalize abortion in all circumstances so that the women undergoing abortions in cases of rape would not feel stigmatized.

The UN 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 the killing of an unborn child 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. After the first trimester, unborn children are protected; however, up until 20 weeks of gestation, abortions are legal 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 severe fetal anomaly or risk of injury to the unborn child. Procedures that save the life of the mother are also permitted, even if they result in the death of the unborn child.

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.
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. 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**

Although Asia and the Middle East boast four of the countries with the least protections for unborn children, China, North Korea, South Korea, and Vietnam are extreme outliers to the other countries of the region, most of which protect life from abortion. Aside from the extreme four, only one nation out of 41 fails to protect unborn children past 12 weeks, and only seven out of 41 fail to protect unborn children after the first trimester. The majority of nations in this region—26 out of 41—protect unborn children unless there are special circumstances—and these are never elective. In Asia and the Middle East, three countries completely protect the unborn from abortion.

**Afghanistan**

In Afghanistan, unborn children are protected from abortion in all cases. Medical procedures performed to save the life of the mother, however, are permitted—even if the procedure unintentionally results in the death of the unborn child.

The tragic cultural circumstances surrounding abortion in Afghanistan are particularly noteworthy. Because of the unforgivingly harsh nature of Sharia law, unmarried women who become pregnant are seen as a disgrace to their families and are often tortured, mutilated, or even killed if their pregnancy is discovered. This causes women to see killing their unborn child as their only option for survival if they become pregnant out of wedlock. 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.
Although unborn lives may be more highly protected from abortion 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, which protects unborn children in the U.S. state after the detection of a fetal heartbeat, to the plight of women living under Taliban rule in Afghanistan.47

There is no legitimate comparison between the Afghan model, which tortures women who become pregnant out of wedlock and restricts women’s daily activities, and a democratic nation recognizing the right to life of unborn children and protecting them because of their inherent dignity. Caring for the well-being of the unborn and the well-being 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**

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 […]. 48

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 jail time for the offense.49
There has been debate as to whether the Constitution of the Philippines outlaws abortions to save the life of the mother; however, it 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.”

This debate likely arises from the significant difference between an elective abortion and a medical procedure taken to save the life of a mother. In an elective abortion, an abortionist intentionally kills an unborn child. In a medical procedure taken to save the life of a mother, an unborn child may die as an unintended, undesired consequence of the action. The first is what is culturally known as an abortion. The second is not.

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. 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 decriminalizing 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 unborn children are protected from abortion. However, based on the available reports, which are rare, unborn children are not protected at any point during pregnancy, making North Korea one of the most pro-abortion nations in the world. Although 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 who are not killed in the womb are often killed before their mothers’ eyes after being born as a form of psychological torture. In North Korea, no human rights are safe or valued, either for the unborn or the born. The citizens of 20 U.S. states that do not protect unborn children until after they are born ought to shudder when considering their state’s laws are comparable to the abortion standards of one of the world’s worst human rights violators.

**South Korea**

South Korea presents an example of an Asian nation abandoning traditional ethics in order to pursue outdated science on abortion. Although the nation had stuck to protecting unborn children since the 1960s, a 2020 court order vacated the existing pro-life law, just as Roe had erased the existing pro-life laws of every U.S. state in 1973. Because South Korea’s second-trimester protection could not be decided on by the end of 2020, the federal protection for unborn children was completely struck from the law on January 1, 2021, leaving South Korea with no national statute protecting the unborn.

It is significant to note South Korea’s failure to incorporate a modern understanding of science in its establishment of laws protecting life from abortion. The nation has arrived at the same outdated conclusion that the United States established nearly 50 years ago. Now that the egregiously wrong Supreme Court decision has been overturned, the majority of U.S. states have reversed course. Particularly 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 Historical Ties to Communism Comparison

Cuba

Since 1965, Cuba has been dominated by the communist party created under Fidel Castro.\(^55\) Uncoincidentally, elective abortion in Cuba was also institutionalized in 1965,\(^56\) and unborn children are not protected until 12 weeks of pregnancy. Unborn children are not protected after 12 weeks 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. In both Cuba and China, late-term abortions are performed using the drug Rivanol, which causes the child to be prematurely expelled from the uterus and is afterward left to die.\(^57\)

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.\(^58\) By the end of the next decade, more Cubans will die each year than will be born.\(^59\) This demographic crisis began with the communist party’s advocacy for killing the unborn and has been spiraling out of control since the 1960s.

Vietnam

Vietnam ranks among the most pro-abortion nations; unborn children are not protected throughout all nine months of pregnancy, although a national statute does ban sex-selective abortion. Although this law theoretically represents the reality that females are of equal value to males, it provides little to no consolation for the unborn. All that is 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.”\(^60\)
Vietnam is a key example of the consequences of abortion for women around the world—particularly its 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 has a history of coerced abortions and forced sterilization. However, even though unborn children are not protected throughout all nine months, sex-selective abortion in China is currently illegal, making their abortion law more restrictive than 20 U.S. state laws, which do not include any standard prohibitions on prenatal discrimination. These restrictions in China exist as a reaction to the infamous one-child policy that the Chinese Community Party (CCP) instituted in 1980. Because parents were only allowed to have one child and because of a cultural preference for sons, cases of female infanticide and sex-selective abortion grew.

Due to the disparity between the male and female populations, China is currently facing a demographic crisis similar to those in Cuba and Russia, in which the nation is suffering the consequences of decades of unjust government intervention into women's desire to produce children. As recently as September 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. Although the outcome of this move may be beneficial in protecting the lives of the unborn, it nevertheless does not repair the cultural damage the communist government inflicted by limiting women's reproductive capacities.

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 Uyghur Muslims who are being kept in concentration camps in the Xinjiang region. The government has forced Uyghur women
to receive intrauterine devices (IUDs) and undergo sterilization and abortion procedures against their will in order to minimize the growth of the minority population.65

**Russia**

Despite its long, dark history of human rights abuses, Russia has recently begun making progress toward protecting unborn children. Currently, Russia protects unborn children from elective abortion after 12 weeks, but the country does not protect unborn children from abortion for social reasons until 22 weeks and does not protect unborn children from abortion for medical reasons at all.

Although 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.”66 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 16 states require women to receive an ultrasound before deciding to have an abortion.67

**Poland**

Poland protects unborn children in the womb from abortion in all cases except rape, incest, and the life of the mother. On October 22, 2020, Poland’s Constitutional Tribunal ruled it was unconstitutional for women to undergo abortion—including in cases of “severe and irreversible fetal defect or incurable illness that threatens the fetus’ life.”68

This most recent change in Polish pro-life 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 former prisoners of Nazi concentration camps.69
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 did the pro-life movement. After communism fell in 1989, the first draft of pro-life legislation was introduced. 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, communist nations view unborn children in the womb as a tool.

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. The legalization of abortion usurped the decision of when to have a child from the parents and surrendered it to the government or 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 have all recently increased efforts to limit abortion in their countries. Although 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.

In stark contrast, Poland, a country that had communism thrust upon it, 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 that the effects of communism are long-lasting and pro-life legislation is not solely responsible for a culture of life.\textsuperscript{75}

Even though the United States is often viewed as the antithesis of communism, 20 states have voluntarily accepted abortion, an atrocity often used as a form of torture in communist countries. While out of touch with Americans’ views on abortion, these state abortion laws are worse or on par with those of major human rights violators.\textsuperscript{76} Although the U.S. government does not condone forced abortion, coerced abortion is certainly prevalent in American culture—and is even pushed by state governors committed to abetting the abortion industry in their state.\textsuperscript{77} Unsurprisingly, since the legalization and cultural acceptance of abortion on demand in America in 1973, the country has also seen the breakdown of the nuclear family and a decline in fertility rates.\textsuperscript{78} The opportunity to protect unborn children in the womb is a welcome lift to efforts to strengthen the nuclear family.

The United States must learn from the errors of communist nations around the world. Now that \textit{Dobbs} has paved the way for states to reverse course, they must embrace the opportunity.

\textbf{Conclusion}

Around the world, the vast majority of nations protect unborn life, at least to some degree. The question is—why? Why do the majority of European countries protect unborn children after 12 weeks? Why do many African and South American countries protect unborn children in all cases while still allowing medical procedures to save the life of the mother? Why do 26 nations in the world protect unborn life without exception? And why are the majority of the countries that fail to protect unborn life through 40 weeks notorious human rights violators?

The answer lies in the definition of what an unborn child is. It is either a human person or not. If an unborn child is a person, as scientific research indicates, then every nation should protect that person’s right to life.
If abortion takes the life of a human being, then the abortion laws of human rights violators North Korea and China make sense, given their demonstrated disregard for human life. However, if abortion takes the life of a human being, then the abortion laws of 20 U.S. states make little sense and represent 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.” Every state must grasp the opportunity that Dobbs v. Jackson Women’s Health Organization has presented to defend life, embrace modern science, and eschew abortion laws that are better suited to countries that violate human rights than to the leader of the free world.

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29 Ibid.


