

# Mexican court ruling upholding women's right to abortion shows global trend better than US Roe v Wade decision

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It may surprise you to learn that, over the past 30 years, no fewer than [60 countries](#) have liberalized their abortion laws while [only four](#) have rolled

back abortion rights. The United States is, of course, one of the latter group that has recently restricted women's access to abortion.

Because the US looms so large in international news coverage of [abortion](#), casual observers often assume that anti-abortion reforms in the US signal a broader global trend or will trigger a domino effect of abortion restrictions. But this view is misguided. It's important to explore why this is.

In order to understand global abortion trends, we should look across America's southern border to Mexico. On September 7, [a landmark decision](#) by Mexico's supreme court found that laws prohibiting abortion were unconstitutional violations of women's rights. The decision lays the foundation for full decriminalization of abortion in Mexico—but will have to be enacted in the legislature before it will be the law of the land.

Nonetheless, Mexico's trajectory is more representative of what is happening across the globe than the US [supreme court decision](#) of 2022 that overturned the constitutional abortion right of Roe v Wade.

Progress on abortion rights is visible [across the world](#). Mexico is part of a "green wave" across Latin America that has also achieved reforms in [Argentina](#) and [Colombia](#). But progress is not limited to Latin America. In 2018, Irish voters [overwhelmingly supported](#) a measure to remove a constitutional abortion ban.

Within the space of two years (2020-2022), Thailand moved from a criminal ban on abortion to [legal abortion up to 20 weeks](#). In 2021, Benin adopted one of Africa's [most progressive abortion laws](#), allowing for abortion on a range of grounds up to 12 weeks. India's supreme court [expanded abortion rights in 2022](#), ruling that all Indian women must have the right to safe and legal abortion regardless of their marital status.

So countries such as the U.S., [Poland](#), [El Salvador](#), and [Nicaragua](#)—the four to roll back abortion rights in recent years—are global outliers.

## **Building support for women's right to choose**

How have these progressive reforms come about? Abortion advocates have achieved successes through engaging with political processes. Argentine activists built a broad-based social movement and multi-party coalition in the legislature to [legalize abortion in 2020](#). In Colombia and Mexico, activists used creative legal strategies to achieve change, bringing strategic litigation and establishing themselves as legal experts.

After Mexico's supreme court struck down a criminal abortion law at the state level in 2021, ruling that [criminalizing abortion was unconstitutional](#), NGOs launched a legal campaign to expand that decision nationwide. In last week's ruling, Mexican courts ruled that abortion [should be removed from the federal penal code](#).

In Colombia, a 2006 court ruling limited legal abortion to a few very narrow grounds. Feminist activists there mobilized to develop and disseminate [progressive interpretations](#) of the law, working with doctors to ensure they could provide abortions while feeling protected from prosecution. In 2022, Colombia's supreme court decriminalized abortion up to 24 weeks. A [pending case](#) before the Inter-American Court of Human Rights holds out the promise of progress for abortion rights in El Salvador.

When social movements achieve change in political institutions, they are often capitalizing on years of on-the-ground campaigning to shift public opinion on abortion. Latin American activists term this process "[social decriminalization](#)". Even where criminal anti-abortion laws persist, its social status can change.

Reducing abortion stigma, normalizing abortion as a part of reproductive life and mobilizing the public against anti-abortion prosecutions are all part of this toolkit.

When [public attitudes](#) shift, anti-abortion laws can lose public legitimacy and political elites can find themselves out of step with [public opinion](#). Ireland's 2018 [abortion referendum](#) showed us this dynamic: although years of opinion polls had consistently showed the constitutional abortion ban was unpopular, Irish politicians sought to avoid the issue. But in 2017, a [Citizens Assembly](#) was held on the issue which showed that the public urgently wanted reform. When the abortion ban was put to referendum in 2018, two-thirds of Irish voters supported legal abortion.

Growing availability of self-managed abortion is also an important factor in the global trend towards abortion reform. Self-managed abortion with pills means that safe abortion is easier to access outside of clinical settings and in restrictive contexts.

But self-managed abortion also highlights the political dilemma that governments face when they seek to enforce restrictive abortion laws. If abortion is as easy as taking a few pills that can be bought online, people will self-manage abortions regardless of the laws where they live. Efforts to prosecute them for doing so can provoke a backlash and highlight the illegitimacy of abortion bans.

Campaigners in Northern Ireland capitalized on changing public attitudes, as well as an inquiry by a [human rights treaty body](#), to secure a moratorium on prosecution of self-managed abortion. Abortion has been decriminalized there since 2019.

Abortion rights rollbacks in the US have understandably provoked outrage. Since *Roe v Wade* was overturned, American states have passed

anti-abortion laws that are [cruel and dehumanizing](#). These anti-[abortion laws](#) disproportionately affect [the most marginalized](#) and are sure to widen gaps in an already deeply unequal society.

But the American story is an outlier. At a global scale, the trajectory we see on [abortion rights](#) is one of slow but continuous progress.

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