

# „Women in the Spotlight of European Politics: A Case Study of Abortion Legislation“

## European Election 2024



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eration**

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*Absurdities from the AfD*

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The equality of women has increased in recent years despite still significant gaps. However, there is now a danger that due to the growing right-wing populism, these rights may be restricted or abolished again. An often underestimated factor in this regard is the right to abortion - with far-reaching consequences. If a woman - for whatever reason - is forced to carry a child against her will, her entire life will not unfold autonomously. In general, such a ban on abortion must be considered as gender-based violence.

The right to abortion is not regulated EU-wide but is subject to national legislation. While there is generally a time limit of 12-14 weeks in Europe, there are very different restrictions in individual countries. In any case, various stresses arise for the pregnant woman:

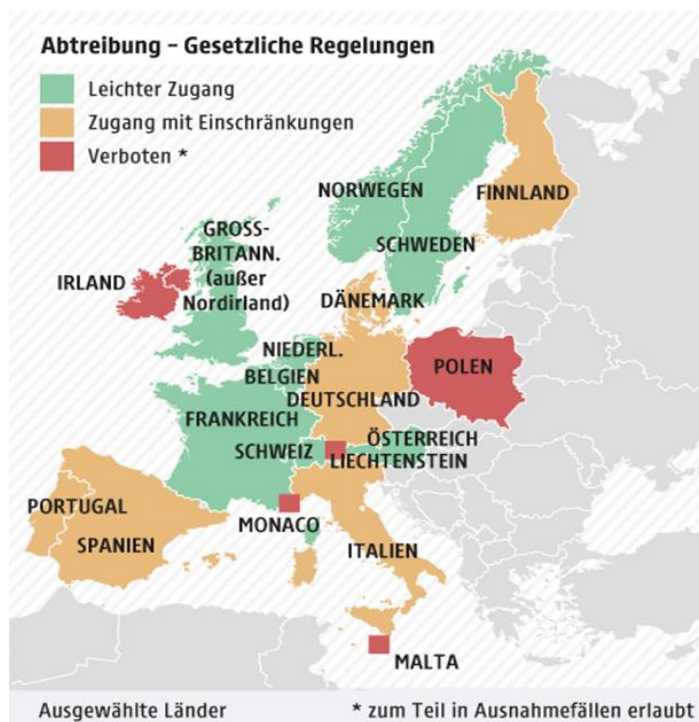
- Will permission be granted?
- How do I find a doctor who will perform the abortion?
- Do I have enough money for an abortion?
- Is my health at risk due to the abortion?
- What does my financial future look like (e.g., as a single mother)?

Often, the deadline solution proves to be a race against time. Especially in countries with repressive abortion policies, access to mandatory counseling centers and doctors who perform abortions is difficult. Additionally, there is often psychological pressure from abortion opponents outside counseling centers. This was recently banned in Germany ("sidewalk ban"). Generally, as in Germany, abortion is not financed through health insurance. This is a major problem for women, especially in precarious situations. In countries with restrictive abortion policies, the pregnant woman may be forced to have an abortion abroad or to have an illegal abortion. In Poland, abortion rights were severely restricted in 1993 and further tightened under the PiS government in 2021. Accordingly, legal abortions decreased. In 2021, Poland recorded only 300 legal abortions compared to 94,000 legal abortions in Germany (with roughly double the population).

In addition to the criminalization of women, illegal abortions entail health risks. In cases of complications due to medically unprofessional procedures, there is also no possibility of medical follow-up

care. Studies from the USA indicate that states that have restricted access to abortion services in 2020 had maternal mortality rates that were 62% higher than those in states that allowed access to abortion services. Racial discrimination further exacerbates the situation. For instance, in the USA in 2021, twice as many deaths of black women were recorded per 100,000 live births compared to white women.

The following examines the abortion legislation of individual countries in more detail: Figure 1 illustrates abortion legislation in the EU in 2018:



**Germany:** Abortion is fundamentally illegal, but not prosecuted under a "non-realization clause" if a) an accredited counseling center has been visited and b) the abortion takes place within 12 weeks. Abortion is not punishable in cases of risk to life or health. In 2022, approximately 1/8 of all pregnancies were terminated.

**Ireland:** Before 2018, a deadline solution was only possible in cases of danger to the mother's life, but not due to rape or fetal unviability. Since 2019, the deadline solution has been in place following a referendum.

**Malta:** Until 2023, all terminations were prohibited, but afterward, they were allowed in cases of danger to the mother's life.

**France:** A deadline solution is allowed up to the 14th week of pregnancy. Since February 2024, the right to termination has been guaranteed in the constitution.

**Hungary:** Deadline regulation with mandatory specialist counseling, since 2022, mandatory to listen to the embryo's heartbeats before termination.

**Poland:** Severely restricted since 1993, total ban since 2021 (even in cases of severe fetal malformations), exception: in cases of danger to the pregnant woman's life or as a result of a crime. Despite this, Poland's population decreased by 4% from 2013 to 2021, with women's organizations estimating that up to 150,000 Polish women still abort annually.

Populist parties in Europe advocate strict abortion bans. The difficulty in reversing once-enacted restrictions is evident from the example of Poland. Tusk has not been able to enforce the immediate repeal of the abortion ban announced, as a small party in his government ("The Third Way") vetoed it. We live in times when democratic parties must form coalitions with more and more parties to be governable. Right-wing radical parties will always advocate for an abortion ban or block its repeal.

### **What would be a leftist response to these problems?**

Self-determination over the body is a fundamental right that women have fought for over the last centuries. It should be included in the Basic Law, as has just happened in France.

An unconditional deadline solution without obstacles is necessary to prevent discrimination against pregnant women. Neither psychological nor financial pressure must be built up.

There must be easy access to all the necessary information. Professional medical abortions must be possible in the immediate vicinity of the person concerned.

### **What does the AfD say about this?**

In the AfD's EU basic program, it states: "Abortion is not a human right." Abortion should be an "absolute exception" (criminological and medical indication). This denies women a self-determined life. This fits the image of women in the AfD. Women's promotion is abolished, e.g., by abolishing equality offices. Achievements of equality in our society are denied and should be withdrawn. The looming aging of the population should be countered with an increased birth rate of German women. However, only with an annual net migration of 420,000 migrants could the labor force potential be kept constant. The AfD should know this, but it contradicts their anti-immigration stance. In any case, they could neither reduce population decline with an abortion ban nor with an increased birth rate of German children even remotely.