

Il complesso bilanciamento nelle leggi sull'aborto: una prospettiva comparata

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The Problematic Balance in Abortion's Legislations: A Comparative Perspective

Abstract: The article analyses the evolution of abortion legislation in two emblematic countries: USA and the Republic of Ireland. These two countries, despite starting from different (even opposite) abortion regulations, today seem to converge: in the US, where abortion is a constitutional right recognized by the US Supreme Court, we witness the ongoing states' attempt to restrict abortion's access; on the contrary, in Ireland, where art. 40.3.3. of the Irish Constitution protected the life of the unborn, after the referendum of 25 May 2018, we can observe that the system is moving towards a more liberal abortion legislation. The article highlights these converging trends in comparative perspective and it focuses on the constitutional paths that determined the current abortion regulation in the USA and Ireland.

Keywords: Abortion, Right to life, Women's rights, Ireland, USA.

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