

## A COMPARATIVE ANALYSIS OF PREGNANCY TERMINATION AND SURROGACY LAWS IN INDIA AND U.S.A.

**AUTHORS:** – SHRISTY PAYAL & AMBAR SRIVASTAVA

STUDENTS AT LAW COLLEGE DEHRADUN, FACULTY OF UTTARANCHAL UNIVERSITY.

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### Abstract

*“The purpose of this research study is to give a complete comparative examination of the legislative frameworks that regulate surrogacy and pregnancy termination in India and the United States of America. Both countries have diverse legal, cultural, and economical settings, which have contributed to the formation of their respective approaches to reproductive rights and technology. The purpose of this research is to investigate the historical history, present legal frameworks, judicial interpretations, and continuing disputes that are associated with surrogacy and abortion in both nations. A number of important differences in regulatory techniques are shown by the study. These differences are a reflection of the various constitutional systems, cultural values, and policy agendas. In recent years, India has made progress towards a regulatory framework that is more centralised and restrictive for both abortion and surrogacy. On the other hand, the United States of America exhibits significant state-level variation as a result of the overturning of *Roe v. Wade* and continues to maintain a commercial surrogacy market that is largely unregulated. The purpose of this comparative analysis is to shed insight on the ways in which reproductive laws in both countries continue to develop in response to the progression of technology, shifting societal views, and competing interests of various stakeholders. A set of ideas for legislative reforms that strike a compromise between reproductive autonomy and the required protections against exploitation and commodification are presented in the last section of the article.”*

**Keywords.** *Reproductive rights, abortion laws, surrogacy regulation, comparative legal analysis, medical tourism, bioethics*

### Introduction

Among the most complicated and controversial aspects of contemporary healthcare policy and legislation are the reproductive rights and technologies that are currently under contention. Not only do the legal frameworks that control pregnancy termination (abortion) and surrogacy reflect a nation's approach to the regulation of healthcare, but they also reflect deeper social beliefs like physical autonomy, the beginning of life, the creation of families, and gender roles. Despite the fact that

both India and the United States of America are huge, varied democracies with federal systems, they have evolved significantly different ways to regulating reproductive concerns. This makes India and the United States of America especially illuminating comparative case studies.

In both nations, the historical trajectories of abortion and surrogacy laws indicate the effect of colonial legacies, religious viewpoints, feminist movements, technical breakthroughs, and developing constitutional interpretations. It