



## **The Abortion Act, 1967: A Biography of an ‘Untouchable’ British Law**

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**Abstract:** This paper has twin aims. It will offer a biography of the 1967 Abortion Act and its operation. This Act lies at the heart of the oldest statutory framework to govern any medical procedure in British history. Despite its impressive longevity, the Act is also one of the most contested pieces of legislation in British history, having incited some of the ‘nastiest’ parliamentary debates, the most intense political lobbying, and bitter battles over access to services and the broader social meaning of abortion. Within medicine, there has been overt contestation, concealed strategizing, and the exercising of the ‘conscience’ clause as the ultimate opt-out. From its nebulous wording, the Act has acquired daily meaning as successive generations have sought to interpret and implement it, an ongoing negotiation between pregnant women, health care professionals, service providers, officials, campaigners, the media, whistleblowers, and – the ultimate arbiter – law courts. The Act has also rested on a fault line between the shifting tectonic plates of a rapidly changing society. A biography of the Abortion Act is therefore the story of modern Britain, with seismic shifts in childbearing, gender and familial norms, the growth of women’s liberation and disability rights movements, the declining authority of the church in framing moral debates, clinical and technological innovations, and shifting understandings of medical authority.

In addition, the paper will offer methodological reflections on the merits of approaching historical topics from a biographical perspective. One might define this as a contextual study of a subject that is attentive simultaneously to both continuity and change over an extended period. When applied to legislation, it encourages us to interrogate the law as a living thing that evolves through various life stages. It must be studied not just ‘on the books’ but ‘in action’, as the acquisition of legal meaning is an ongoing process that involves interpretative work, challenge, rupture and revision. The notoriously wide gulf between the written law and the law in practice in the case of abortion provision makes it a particularly useful example. Finally, a biographical approach encourages us to situate our subject within an evolving world. To paraphrase Virginia Woolf, we must offer the story of the stream as well as that of the fish.