UNIT 8: ABORTION

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8.1 LEARNING OBJECTIVES

After going through this unit, you will be able to

- Know the meaning and definitions of abortion
- Explain the religious, socio-cultural and legal issues of abortion
- Know the utilitarianism, Kantian ethics and the problem of abortion
- Know the abortion and the ethics and the problem of abortion
- Explain the moral dimension of abortion and reproductive issues and technologies.

8.2 INTRODUCTION

The issue of abortion is a very sensible one. As from the various definitions of abortion it becomes clear that abortion is the destruction of the foetus or the killing of the foetus. As one of the most hotly debated social and moral issues, many ethical debates are found to be

associated with this problem. As a living issue, abortion is very much a debatable one in the society we live, and we can see that there are many sides to this debate which touch many angles of our socio-cultural-religious or even political and legal aspects of life. From a commoner to a legal expert, a feminist or a man of religion, one has his or her way of looking at the problem. In this unit we are discussing some such diverse ways of interpreting the issues of abortion in its effort at exploring a possible moral dimension of some such issues as abortion or foetus-killing. Questions of abortion become related to the question of infanticide, of how one defines a 'human being' and a 'person' and where one draws the line. Some of the most difficult issues that we still face and the ones that create the greatest emotional anguish, to parties involved with it. In order to enter into some such problems we have to trace the socio-historical background of the problem of abortion.

8.3 MEANING AND DEFINTIONS OF ABORTION

Let us now begin with the basic definition of the term 'abortion' as per scientific and technological understanding goes. Although the term 'miscarriage' is often been confused by the people with the term 'abortion', there is not much difference between the two. The only difference between the two is that if it is done before twenty-four weeks, then it is called miscarriage, after that it is called abortion. In both the cases, if it is not spontaneous, it should be done by licensed physician and more preferably by the experienced physician. There are two methods of abortion, viz. the medical abortion and the surgical abortion. The term medical abortion is used for ending pregnancy with the means of drugs. It can only be done if the pregnancy age is of forty-nine days or less. It does not need any surgical procedure; this can be done in doctor's clinic or at home. But medical abortion sometimes becomes dangerous for the health of the pregnant woman. Surgical abortion on the otherhand is done when pregnancy age crossed forty-nine days. It is done with three different ways, viz. Suction Aspiration, Dilation & Curettage (D&C) and Induction Abortion.

8.4 THE RELIGIOUS, SOCIO-CULTURAL AND LEGAL ISSUES OF ABORTION

If the issue of abortion is to be discussed from various socio-cultural, legal and religious aspects and to see, whether because of today's changing moral scenario, and the changing attitude of the people around us, the issue of abortion has already become a non-issue and if so, then how to make it an issue? For those who considered problematic nature of the abortion issue it needed a holistic approach to the problem that touched not only the intimate and the private personal aspects but also it needed public discussion and policy formation to be formulated and that is how public issues like abortion debates and discussions, could become matters of philosophical concern.

Not only the religious issues, but along with it, this unit will also discusses how religious impact or the religious faith of the people can control one's socio-cultural outlook of the people. As for example, it can be said that patriarchal attitudes of many religions of the world have somehow degraded the status of the women in the society. It even somehow leads to the sex-selective abortion in many countries like India, china etc. Because of which many legal steps and act have been implemented as per the various laws of those countries.

It is further observed that many religions have adopted very rigid positions regarding the act of abortion which has remained influential so far as the laws of the countries are concerned. As for example, because of the dominant of catholic religion, abortion is made unacceptable under any circumstances especially in a country like Ireland. So it can be said that different religions have played a great role so far as the socio-cultural and legal aspect of the abortion issue is concerned.

But over and above these various dimensions of new laws being introduced and implemented, various laws of different countries have also been revised because of the major influence and the role played by the ethical discussion on abortion. Even then abortion is still there in the society as one of the burning problems in the society.

It is observed that religious and cultural background of a situated moral agent often remains influential in ascertaining policy decisions and also in motivating one to a particular way of looking at sensitive moral issues. For example, if any kind religious doctrine supports the notion of ensoulment that needs a divine author, abortion will be an act that would be religiously offensive. It is observed that almost all the major religions of the world have made efforts at clarifying their positions mostly in a pro life manner keeping exception for some extraordinary situations.

8.5 UTILITARIANISM, KANTIAN ETHICS AND THE PROBLEM OF ABORTION

From the point of view of ethical analysis of the problem of abortion, it will be trying to explore whether it is possible to study the problem of abortion with the help of traditional theories of ethics like utilitarianism and Kantian de-ontological ethics? It further questioned some of the limitations of the traditional theories of ethics in order to address the question whether with the changing structure of the society; do we need a new kind of ethics that remains more sensitive to a holistic and also to the feminist and other approaches to the value question?

By keeping in mind of this learning objective of this unit, it tries to analyse the different factors of abortion like sex-selective abortion, abortion due to the bad health condition of mother, abortion due to the defective foetus etc. from the perspectives of the traditional theories like utilitarianism and Kantian de-ontology. Utilitarianism, because of its consequentialism, has put on sole emphasis on the production of pleasure and happiness; on the other hand Kantian ethics of deontology, has emphasised on duty and reason. However, the peculiarity with the abortion issue is its distinctive nature of mother-child relationship that is neither result oriented nor entirely and exclusively reason based.

After making a brief survey of certain implications of utilitarianism's greatest happiness of the greatest number doctrine and its impact on the abortion debate, particularly with reference to Peter

Singer, Michael Tooly and others, it will be trying to make a brief reference to some other related issues like animal rights, etc. While as per Michael Tooly's theory, a dolphin or a chimpanzee's right to life will get more priority in comparison to an infant, Peter Singer's point of view regarding the concept of person and foetus killing similarly centres round human-person dichotomy although mostly viewed from a point of preference utilitarian's perspective. In order to explain the problem of abortion, some feminist thinkers take the help of Kantian model.

Until the rise of virtue ethics, the dominant paradigms in 20th century normative ethics were utilitarianism and deontological ethics, both made room for reason and right based decisions in this regard. However the two dominant ethical positions in abortion debate were developed later in terms of Pro-Life (against Abortion) and Pro-Choice (for Abortion) positions**.** Judith Jarvis Thomson, who assumes a conservative position for the sake of argument, argues in favour of pro choice position from a feminist perspective.

Mary Anne Warren tries to defend the liberal view of abortion, i.e. it is morally permissible if reason permits to do so .The thesis makes a casual reference to some implications of Kantian de-ontological ethics on some feminist scholars some of whom are critical of the masculinity of reason that is accorded in traditional moral theories.

Kantian ethics, by using its deontological nature, has given sole emphasis on the duty and reason. Kant's one dimensional focus on duty and respect for the moral laws, as the only morally praiseworthy motive, dehumanizes the relation between mother and her foetus. In fact Max Scheler says in this context that moral law or the categorical imperative originates from the values rather than from human thinking as Kant explained it to be. So far as moral consciousness is concerned, emotion plays an important role. Morality is not something, which can be presented with the form of judgment derived from pure reason. Human beings should be guided by some moral values not merely by their rational quality.

Provided ethics is seen more as a problem solving rational skill and a pursuit that might lead to absurd conclusions when confronted with real life problems, like that of infanticide, this unit is looking for some alternate approach to be made in this direction. The unit also takes into consideration in what manner some of the existentialist philosophers, like Jean Paul Sartre, Kierkegaard and, and some others, have sought to put the affective existential man in the centre of moral decision, thereby seeking to unearth the fact that 'human reason has boundaries'. In order to decide what should be the moral position in an ethical debate one is not looking for mere principles and formulae that comes from a robotic and rule governed phase of machine existence but issues like abortion, euthanasia etc. are actual moral dilemmas depicting some sort of existential crisis.

So it can be said that the rightness or wrongness of abortion cannot be explained in terms of reason only. It is true that, it is very difficult to arrive at a definite conclusion of the problem of abortion. The rightness or wrongness of abortion varies from situation to situation.

8.6 ABORTION AND THE ETHICS OF VIRTUE & CARE

In its search for alternate ethical positions in regard to the abortion issue, there is made some explorations of the basic findings of virtue and also of care ethics and its different positions in regard to the moral status of the abortion debate. As a character-based ethics Virtue ethics looks at the virtue or moral character of the person carrying out an action, rather than at ethical duties and rules, or the consequences of particular actions. Virtue ethics not only deals with the rightness or wrongness of individual actions, it also provides guidance as to the sort of characteristics and behaviours a good person will seek to achieve. Here it has been found that although traditional virtue ethics has certain limitations, especially in adequately addressing certain abortion related problems, but the ethics of care has successfully laid down certain

guidelines in order to overcome some such limitations. Despite the complicated nature of the problem, care ethics exponents have suggested various positions that have also remained successful to overcome the complicated issues of abortion. Clearly, the, the politics of reproduction, including the legislative debate over surrogate parenting, is bound up with social conflicts about gender, particularly about the role of motherhood in women's lives. The possibility that the significance of motherhood in women's identity is declining is a great source of worry for some groups, as is the seeming decoupling of motherhood from marriage. Interestingly findings confirm that a history of advocacy on behalf of women is important when it comes to legislation dealing with surrogate motherhood.

In future decades, pro-life advocates could grant that women ought to be fully sovereign over their own bodies and that they do have the right to remove an unwanted foetus. However, they could argue that while women have the right to remove a foetus, they do not have a right to kill it.

Care-based theories are away from any hard and fast rule. It tries to analyse the problem with the help of care and by taking care of the emotion of the people. Unlike Kantian de-ontology and utilitarianism, which gives importance on reason and utility respectively, care ethics, tries to analyse the problem of abortion by taking into consideration of the various emotions of the woman as it is an issue related to exclusively to both body and mind of the pregnant woman.

When the issue of abortion is being discussed one most important point which can be noticed is that it involves an assumption that the existence of unborn babies is of lesser value than an adult human's life. It is observed that there are some striking resemblances between care ethics and medical ethics.

Care ethics, especially feminist exponents of care ethics have tried to draw attention to the unequal power of women and men, of white people and people of colour, of First World and Third World people, of the rich and the poor, of the healthy and the disabled, and so forth are central

to feminist ethics are decisive factors in any kind of moral evaluation. Need for re-visiting the unequal pattern of relationship that characterizes doctor patient relationship is highly significant.

Biomedical ethics, like feminine care ethics, looks for real guidance in an actual troubling situation than an abstract focus in the domain of rules and principles. Most of feminists are largely influenced by Carol Gilligan, who claims that women are more likely than men to understand morality in terms of caring for others although many feminists remain uneasy about the normative significance of this gendered description of ethics.

There are many feminist thinkers who are supporter of pro-life. These care based feminists, including those of profile feminists, usually have found the pro-choice supporter to be with masculine nature. They said pro-choice supporter possessed the quality of aggression and destruction of maleness of reason. But in against of which, care based feminist has chosen a alternative and peaceful path having ecologically sensitive means to resolve conflicts while respecting human potentiality.

8.7 MORAL DIMENSION OF ABORTION AND REPRODUCTIVE ISSUES AND TECHNOLOGIES

It is seen that various modern technological issues like the role of ultrasound machines in abortion, stem cell research, in-vitro fertilization etc. are also found to be associated with the foetus killing and abortion. It is found that the science and technology has played a very significant role, so far as the problem of abortion is concerned. Not only the ultrasound machines have played a very significant role in both decision making process of those who are caught in the abortion dilemma ,other advancements in science technology research like stem-cell research and IVF etc. have played crucial role, and have remained instrumental to both pro choice and pro life exponents in diverse ways.

8.8 CONCLUSION

This is in brief about the problem of abortion, studied from the ethical perspective. It is found that without taken into consideration of various socio-cultural and religious issues, it is not possible to study the problem. So by taking into consideration of all this issues, finally it is tried to analyse the problem of abortion with some traditional as well as contemporary ethical theories. But from the description of various issues, it becomes clear that the problem of abortion is a problem, found to be associated with the mother and the foetus she is carrying in her womb. So finally a satisfactory answer can be expected from the care ethic.



CHECK YOUR PROGRESS

Q 1: Write down the difference between 'abortion' and 'miscarriage'.

Q 2: For what term 'medical ethics' is used for?

Q 3: What are the three different ways of surgical abortion?

Q 4: What has degraded the status of the women in the society?

Q 5: What is found to be remained influential in ascertaining policy discussions and also in motivating one to a particular way of looking at sensitive moral issues?

Q 6: Mary Anne Waren tries to defend which kind of view of abortion?

Q 7: Mention the names of two existentialist philosophers.

Q 8: For what biomedical ethics actually looks?



8.9 LET US SUM UP

- As a living issue, abortion is very much a debatable one in the society we live, and we can see that there are many sides to this debate which touch many angles of our socio-cultural-religious or even political and legal aspects of life.

- For those who considered problematic nature of the abortion issue it needed a holistic approach to the problem that touched not only the intimate and the private personal aspects but also it needed public discussion and policy formation to be formulated and that is how public issues like abortion debates and discussions, could become matters of philosophical concern.
- From the point of view of ethical analysis of the problem of abortion, it will be trying to explore whether it is possible to study the problem of abortion with the help of traditional theories of ethics like utilitarianism and Kantian de-ontological ethics?
- In its search for alternate ethical positions in regard to the abortion issue, there is made some explorations of the basic findings of virtue and also of care ethics and its different positions in regard to the moral status of the abortion debate.
- Biomedical ethics, like feminine care ethics, looks for real guidance in an actual troubling situation than an abstract focus in the domain of rules and principles.
- It is seen that various modern technological issues like the role of ultrasound machines in abortion, stem cell research, in-vitro fertilization etc. are also found to be associated with the foetus killing and abortion.



8.10 FURTHER READING

Ashcroft, R. E. (2007). *Principles of Health Care Ethics.* John Wiley & Sons.

Ashley, B. M., & O'Rourke, K. D. (2002). *Ethics of Health Cre: An Introductory Textbook.* Georgetown University Press.

Ashley, B. M., DeBlois, J., & O'Rourke, K. D. (2006). *Health Care Ethics: A Catholic Theological Analysis.* Georgetown University Press.

Dwyer, S., & Feinberg, J. (1997). The Problem of Abortion. wdworth Publishing Company.



8.11 ANSWER TO CHECK YOUR PROGRESS

Ans to Q No 1: The difference between the two is that if it is done before twenty four weeks, it is called miscarriage and after that it is called abortion.

Ans to Q No 2: The term 'medical abortion' is used for ending pregnancy with the means of drugs.

Ans to Q No 3: Suction Aspiration, Dilation & Curettage (D&C), Induction Abortion.

Ans to Q No 4: Patriarchal attitudes of many religions of the world have somehow degraded the status of the women in the society.

Ans to Q No 5: Cultural and Religious background

Ans to Q No 6: Liberal view of abortion

Ans to Q No 7: J.P. Sartre and Kierkegaard

Ans to Q No 8: Like feminist care ethics, it looks for real guidance.



8.12 MODEL QUESTIONS

A. Very Short Questions

Q 1: Define Abortion

Q 2: Name some of the countries of countries, where sex-selective abortion is found?

Q 3: What is the point that is emphasises by Kantian ethics of deontology?

Q 4: Write Max Scheler's view regarding the moral law or the categorical imperative of Kant?

Q 5: What is virtue ethics?

B. Short Questions (Write in about 100-150 words)

Q 1: Write down the meaning and definition of abortion.

Q 2: Write a short note on religious, socio-cultural and legal issues of abortion.

Q 3: What is a Pro-life and Pro-choice position? Explain briefly.

C. Long Questions (Write in about 300-500 words)

Q 1: Explain the problem of abortion.

Q 2: How utilitarianism and Kantian ethics has analysed the problem of abortion? Discuss

Q 3: Discuss the problem of abortion from the angle virtue and care ethics?

Q 4: Discuss the role of technological side of the issue of abortion and reproductive issues.

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