

# Abortion essay

[Law](#), [Criminal Justice](#)



## Introduction

Abortion refers to the “ termination of pregnancy before fetal viability” (Littleton and Engebretson 508). In this definition, a ‘ viable fetus’ refers to one that has thrived for at least twenty weeks after conception. Abortion can broadly be classified into two categories:

1. Spontaneous Abortion: Also known as a miscarriage, this type of abortion refers to the termination of pregnancy without human interference (naturally) (Littleton and Engebretson 508).

2. Induced Abortion: This refers to “ termination of pregnancy before fetal viability by medical or surgical intervention” (Littleton and Engebretson 508).

This category can further be subdivided into two subcategories:

(i) Therapeutic Abortion: This is usually performed by medical practitioners due to inherent health risks that may be associated with carrying of the pregnancy or due to fetal illnesses.

(ii) Elective or Voluntary abortion: This occurs when a pregnancy is medically terminated at the request of a woman (Littleton and Engebretson 508). In this case, there are no health risks that are associated with carrying the pregnancy; rather, the woman simply does not wish to carry the pregnancy to full term and deliver the baby.

The debate on abortion has been heated and has evoked strong reactions from different segments of the population. Politicians, scholars, women rights activists, religious leaders and ordinary citizens have weighed in on the issue with varied opinions. The debate “ has split whole societies into two camps, which call themselves pro-life and pro-choice” (Parliamentary Assembly Committee on Equal Opportunities for Men and Women 5). Whereas

opponents (pro-life) argue that abortion should be banned, some even opposing therapeutic abortion, proponents (pro-choice) argue that abortion should be legitimized and all efforts made to ensure that women have access to amenities that can facilitate safe abortion.

## **For Abortion**

Abortion, whether therapeutic or elective, should be legalized. Women should be allowed to make decisions on whether to carry fetuses till delivery or to abort. In case they decide to abort, the government should ensure that mechanisms for conducting cheap and efficient abortions are availed to these women.

### Beneficial with Strict Regulations

Overall, with strict regulations, abortion can lead to a better life for the individual and society as a whole.

## **Body**

### **Why People are against Abortion**

Despite my disagreement with opponents of abortion, they do offer reasonable points of view for their position on the issue. One of them is their assertion that “ a fertilized ovum is a human being from the moment of conception onward and from this perspective, a fetus has a right to live, and a woman does not have the ability to override that right by choosing an abortion” (Alexander et al. 116). Though a sperm and an ovum are scientifically alive before conception, the only time when the two resemble a living form that can be considered human is after conception. After

conception, a zygote has all the features of a human being, albeit in an undeveloped form. The only thing that it requires is nourishment from the mother for it to grow. Therefore, the zygote, just like a normal child who has already been born, undergoes development of body parts after conception. Opponents of abortion have constantly argued that the child's right to life should be protected by the constitution, just like its mother's right to life is. Another strong reason given by pro-life activists to support their argument is that the same reasons being presented by supporters of abortion are the same that were presented by supporters of slavery centuries ago. In a famous case in 1857, " the US Supreme Court decided, by a 7 to 2 majority, that according to the US Constitution, black people were not legal persons" (Cain 8). According to this court, black people were not to be regarded as human beings. They were the owner's property and he was at liberty to do whatever he wanted with them; he could purchase or dispose them off for money, or even take their lives. Abolitionists were up in arms against this ruling. They argued that it was unfair to " discriminate against an entire class of living persons solely on the basis of skin color" (Cain 8). However, supporters of slavery asked abolitionists not to compel those who wished to own slaves to give up the practice. After all, they argued, abolitionists could choose not to own slaves and leave slave owners alone.

One century and fifteen years later, the same Supreme Court ruled, by the same margin (7 to 2) " that unborn people were not legal persons" (Cain 9). According to the court, unborn persons have no human rights whatsoever, they are owned by their mothers, who have the right to do whatever they want with them, including killing them. Pro-life activists were up in arms

against this ruling. The asserted that it was not just immoral but also “discriminated against an entire class of living persons solely based on their age (too young) and place of residence (womb)” (Cain 9). However, pro-choice activists asserted that pro-life people should not compel pro-choice people to give up abortion. After all, they argued, pro-life people could choose not to have abortions and leave abortionists alone. The fact that the above argument draws parallels to slavery, which was a barbaric, savage and evil crime is very compelling.

Yet another compelling argument presented by pro-life individuals is their contention that abortion contravenes most religious laws. Major religions have clearly banned abortion. For instance, the Bible, on several instances, affirms that life begins in the womb and should be protected. “For you created my inmost being. You knit me together in my mother's womb” (New Jerusalem Bible, Psalms 139. 13-16). The Bible also asks people to “speak up for those who cannot speak for themselves..... defend the rights of the poor and needy” (Proverbs 31. 8-9). Being religious myself, I find this argument really compelling.

### **Benefits if against Abortion**

Those against abortion cite several potential benefits. These reasons include respect for human rights. According to them a fetus is a human being and his or her right to life should be guaranteed. They also cite the development of a society that respects God's teachings and is more religious as a potential benefit.

## **How Abortion Affects the Society (Makes it Better)**

There are many reasons why abortion should be legalized. The most compelling is to save lives. Though some pro-life activists vehemently oppose any form of abortion, including therapeutic abortion, it is important to carry out the procedure on women who are at risk of losing their lives. In certain instances, doctors may recommend the termination of a pregnancy as a result of unmanageable risks. Some of the conditions that may necessitate therapeutic abortion are “ high blood pressure, severe renal disease, tuberculosis, cancer, heart disease, lupus, multiple sclerosis, and a wide variety of relatively rare conditions” (502). If a woman suffering from one or more of these diseases is forced to carry a pregnancy to full term without surgical intervention, she may lose her life, as well as that of the unborn child. To save the mother’s life, it is important to abort the child. Contrary to what some opponents say, legalizing abortion has the overall effect of reducing abortion-related deaths. When abortion is criminalized, women who are desperate to secure an abortion resort to self-induction or consult unqualified personnel. Instead of visiting qualified medical practitioners in safe facilities, they visit unscrupulous individuals in unsafe and unhygienic environments. Consequently, most of these women end up dying or developing severe complications that render them infertile or drastically reduce the quality of their lives. Each year, unsafe abortions lead to an estimated 70, 000 maternal deaths and about five million disabilities in women (Ahman and Shah 1149). Legalizing abortion will ensure that all women have access to safe and legal mechanisms of securing abortions and thus reduce these deaths and disabilities.

Yet another reason to allow women to abort is to safeguard both their physical and psychological health. Sometimes, a woman may be in a position to carry the pregnancy to the full term. However, doing so may severely damage her physical and/or mental health. For instance, it is totally inhuman to force a woman who has been impregnated as a result of a rape incident to carry the pregnancy and deliver the rapist's child. The woman should be allowed to terminate the pregnancy if she wishes to. Carrying the pregnancy and subsequently delivering the child can be traumatic and may have a huge psychological toll on her health. After all, she may neglect the child after birth or even abuse him because he is a constant reminder of the trauma the woman went through during the rape incident. The mother may not view the child as an innocent victim; rather, she may end up viewing him as a replica of the rapist. In the end, an innocent child ends up suffering for a crime that is not of his own making.

Another reason why abortion should be legalized is to reduce its prevalence. Statistics indicate that abortion is more prevalent in developing countries where laws are more conservative. In countries where laws are more liberal and abortion is legalized, fewer women resort to abortion. According to The Center for Bioethical Reform, “ 83% of all abortions are obtained in developing countries and 17% occur in developed countries” (Center for Bioethical Reform 3). Countries such as Netherlands, where abortion is legal on demand, have much lower rates of abortion than countries like Peru, where abortion is totally prohibited unless the mother's life or health are in danger. A report by the Council of Europe's Parliamentary Assembly Committee on Equal Opportunities for Women and Men titled Access to Safe

and Legal Abortion in Europe concluded that “ a ban on abortions does not result in fewer abortions, but mainly leads to clandestine abortions, which are more traumatic and more dangerous” (1). A 2007 study also showed that abortion rates were steeply declining in developed countries, where laws on abortion are flexible and are conducted safely, than in developing countries, where more than 50% of abortions are done unsafely (Sedgh, Henshaw, Singh, Åhman and Shah 1340).

One possible reason why abortion rates are higher in countries where the practice is banned by law is the fact that women in these countries do not get psychological guidance and counseling that forms part of the abortion procedure in countries that have legalized abortion. Before a doctor secures an abortion, he is obligated to inform his or her patient of all possible outcomes, as well as physical and psychological consequences of carrying on with the abortion. His or her client is also required to attend a counseling course. Some of these counseling courses have resulted in women changing their minds and deciding to carry the pregnancies to full term and delivering healthy babies. This would not be possible in situations where abortion is illegal.

It is also important to give women the right to choose the fate of their unborn child as well as giving them control of their bodies. When laws prohibit abortion, they effectively limit the woman’s freedom. A government or its laws should not exercise authority over such private issues as what happens in a woman’s womb. It should be left to the woman to decide whether to carry the pregnancy or not. Failure to give women this option breaches their fundamental human rights.



## **Compare and Contrast Reasons: Why am I for Abortion?**

Though pro-life persons offer compelling arguments asking for abortion not to be legalized, their arguments are not as strong as those of pro-choice persons. Some of the reasons they offer are mainly based on strong convictions that are not backed up by facts. For instance, the argument that the Bible and other religious books have clearly banned abortion is true, but is simply based on a strong religious conviction that is not as important as reasons given by pro-choice supporters such as saving lives. After all, people have different religious convictions and the government and church should always be separate entities. The constitution and laws of the land should not force people to behave in a certain way in order to adhere to certain religious convictions. This will be a breach of their freedoms of worship and expression.

The argument that pro-choice supporters draw parallels to supporters of slavery is compelling. However, though there are lots of similarities, the two are very different. Slave owners were motivated by selfish interests. They used slaves to generate wealth and satisfy their own needs. They stood to lose greatly if slavery was to be abolished. The same does not apply to pro-life activists. They are neither motivated by selfish interests nor do they stand to gain personally from the legalization of abortion.

The argument that life starts before birth is also compelling but once again, it does not have a lot of strength. Arguments about when exactly life starts are not substantial and are better left to scientists. Defining when life starts only hold a theoretical value; it does not help to reduce the rates of abortion, neither does it stop the backstreet abortions that are dearly costing the lives

of women.

Arguments by pro-choice supporters are very practical and strong. Rather than hold on to strong convictions that do not solve underlying problems, they give practical examples of the correlation between legalization of abortion and subsequent reduction in rates of abortion. They give women a better alternative. They do not urge women to abort; rather, they only ask that those women who choose to do so should not be caught and thrown in jails; they should be provided with necessary amenities for psychological counseling and if, after this counseling, they still wish to go ahead with the abortion, they should be allowed to do so in safe environments.

### **Ethical theories: Consequentialists?**

Pro-life supporters hold on to absolutism while pro-choice supporters are more inclined to normative relativism. Whereas normative relativism asserts that all moral opinions are relative and that the morals of one person are not automatically equal to those of other people, absolutism holds that there are universal laws that should be followed without exception (“ Ethical Theories” 1-2). The utilization of absolutism by pro-life supporters is evident in their quoting of the Bible and other religious teachings as absolute laws that human beings should abide by. It is also evident when they disregard figures showing that abortion is lower in regions where it is legalized and instead stick to what they believe should always be practiced universally; recognition of the notion that life starts at conception and no one has the right to terminate fetal life. This, according to them, is an absolute law that should be followed regardless of any evident benefits derived from legalizing abortion.

Pro-choice individuals also apply the principle of least harm and theory of utilitarianism more than pro-life arguers. According to a utilitarian, “ the choice that yields the greatest benefit to the most people is the choice that is ethically correct” (Rainbow 13). For instance, legalizing abortion has been shown to reduce deaths of pregnant women. Though abortion may not be allowed in the Bible and other religious teachings, legalizing it leads to less harm and greater benefits as few women die and the rates of abortion are seen to plummet.

The consequences that will flow from applying theories aligned to pro-life supporters are disastrous to the society. If people do not evaluate the potential benefits associated with legalization of abortion and instead hold on to absolutism, the rates of abortion and deaths of young women will only increase.

There are different accounts of what is morally right. However I hold on to utilitarianism (doing what yields more benefits) and normative relativism as the best guidelines of what is morally important.

## **Summary of the Sources of Disagreement between Pro-Choice and Pro-Life Persons**

The main source of disagreement between these two groups of individuals lies in the application of ethical theories. As described above, pro-life supporters hold on to absolutism while pro-choice supporters believe in normative relativism and totalitarianism.

## **Where is Abortion Legal and How Does it Work?**

It is impossible to list abortion laws as they apply to all countries. This is because these laws vary from country to country. However, it is possible to

come up with some general observations. For instance, in most countries, with the exception of Laos, Maldives, Vatican City, Belize, Dominican Republic, El Salvador, Nicaragua, Tuvalu, Chile and Uruguay, abortion is allowed to save a mother's life (McManus 30). Abortion is legal on demand in most of the developed countries (McManus, 30). These include Norway, Sweden, Portugal, Netherlands, Spain, Switzerland, United Kingdom, France and Denmark (McManus 30). However, in some countries it can only be performed during certain stages of fetal development. For instance, it may be allowed during the first trimester and banned during the second trimester (McManus 31). Again, the definitions of these trimesters vary widely from country to country. In almost all countries where it is allowed on demand, there are strict procedures that medical practitioners have to adhere to before performing the operation on a woman. For instance, they must inform her of all the possible consequences and counsel her. They must ensure that the ultimate decision to terminate the pregnancy comes from the woman herself.

### **Vague Stories and Example**

Horror stories abound about women who died or were partially or permanently disabled by abortions performed by unqualified personnel in unsafe environments.

Rosie Jiminez was a hardworking single mother of a 5-year-old daughter (" In Remembrance" 8). While still catering for her daughter, she got a scholarship to study education in a Texas college. However, just six months before successfully completing her studies, she became pregnant and sought an abortion. However, the Hyde Amendment had just been passed (" In

Remembrance” 8). Among other things, this amendment stipulated that individuals who were being assisted by government could not receive Medicaid finances to support an abortion (In Remembrance” 8). Such individuals are the vulnerable in the society; they are too poor to afford paying for medical services from their own pockets. Rosie was such a woman. Unable to afford hefty fees charged by private clinics, she decided to consult an illegal abortionist. She died later after the operation went awry. This is not an isolated incident; there are several other sad stories about women who passed away or were maimed by illegal abortion operations.

## **Conclusion**

### Reasons for Supporting Abortion

In conclusion, I support abortion because of four main reasons:

- (1) To save women’s lives
- (2) To safeguard both their physical and psychological health
- (3) To reduce the prevalence of abortion
- (4) To give women freedom of choice

### Instruction

The government should endeavor to provide necessary abortion facilities to women who choose to abort.

### Best Reason for and Against Abortion

The best reason for the support of abortion is to save women's lives while the best for the opposition of abortion is to respect the right of life of unborn children.

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