

# Ethical issues on abortion

Experience, Meaning of Life



Q. Ethical Issues Regarding Abortion & The Catholic Church's Teaching on it

Abortion was one of the issues in which modern bioethical reflection begun. It is an issue which has been bitterly debated for centuries, but in particular recent times where there are new threats to human life on an alarming scale facilitated by new technologies, ideas & social developments, often within the complicity of ' the powers of the world' & leading to the development of a veritable ' culture of death' (EV). There are many ethical issues surrounding abortion leading to pro-life verses pro-choice. The Catholic Church also has much to say on this issue which can be dated back centuries. For many in our society, the prospect of new life is not greeted with joy. The attitude towards life is sometimes negative. Some lives are seen an undesirable. Our society has devised ways of disposing of them through abortion when the pregnancy is unwanted, when screening has identified a genetic or other medical problem, or even when the baby's sex is not what the parent's desire. But for those who are Christian, the idea that we are made in God's image should impel us to see how important every life is & how each one must be treated with respect. Catholic teaching rests on this foundation, respecting life unequivocally from conception until natural death. If many Christians have nonetheless become unsure about the morality of abortion, the lack of clarity represents failure in the face of pressure from surrounding culture. The power and importance of law is shown precisely in the fact that so many of us, even when we should know better, permit our moral judgements to be shaped by the current state of our law — supposing mistakenly that what the law permits must be morally permissible. Ones understanding of the nature of the foetus determine

whether abortion is morally good or bad. The church can hardly ignore abortion; it not only tempts & harms their members, but also does grave harm to all involved in it. Once man decides it's his prerogative to play God, basically no life would be safe. The creator is the soul end & no one can claim when to end a life. The abortion debate asks whether it can be morally right to terminate a pregnancy before normal childbirth. Some people think abortion is always wrong, some think it is right when the mother's life is at risk, and others think there is a range of circumstances in which abortion is morally acceptable. The moral debate about abortion deals with two separate questions; 1. Is abortion morally wrong 2. Should abortion be legal or illegal, there are also more secondary questions to this debate. If we conclude abortion is not morally wrong, that doesn't mean that it is right to have an abortion: we need to ask whether having an abortion is the best thing to do in each particular case. If we conclude abortion is morally wrong, that doesn't mean that it is always impermissible, we need to ask if having an abortion is less wrong than the alternatives. People are generally pro-life or pro-choice and feel very strongly on their stance. The issue remains very topical because the foetus is a ' silent victim' being entirely innocent and defenceless, even though in certain circumstances it may be fatal to the mother's well - being.

**SECULAR ARGUMENTS** The secular argument about abortion covers several issues: 1. what gives a being the right to life 2. Is a foetus a human being? 3. Is it the sort of being who has the right to life? 4. Is a foetus a separate being from its mother? 5. If the foetus has the right to life, does it take priority over the mother's right to control her own body? These problems can be restated in terms of the sort of decisions that

pregnant women and their doctors have to face: 1. Does the foetus have the right to be carried in the womb until it's ready to be born? 2. Under what circumstances if ever, can we take an 'innocent' human life 3. Is any other right more important than the right to life? E. g. a woman's right to decide what to do with her own body? 4. If the woman's life is in danger over the pregnancy, how do we decide who's right should prevail? The argument against abortion deems it always wrong because it is the deliberate killing of a foetus, an innocent human being. If we accept the foetus has the right to life we face a two-fold problem: abortion = wrong unless it serves some right of the mother that is as morally important as the foetus right to life. The right to life outweighs another person's right to control her own body thus abortion = wrong unless it serves some greater right of the mother than the right to control her own body. The only such right is the mothers own right to life. Abortion = wrong unless to save mother's life. MOTHER'S AUTONOMY

One secular argument is not concerned with the rights of the foetus but with whether law & morality have any business interfering in the matter at all. A pregnant woman's claim 'I can do with my body as I wish, I can get an abortion if I want', the pregnant woman's right to privacy has become pervasive. The argument couched in the language of foetal 'viability' was fundamental in the US supreme courts 1973 Roe versus Wade decision. Although modified in more recent cases, the central determination of that decision remains in effect; at least until a foetus is 'viable' and can live outside the mother's womb, the pregnant woman cannot be legally prohibited from obtaining an abortion. I do not believe this argument succeeds at least as a general argument that a woman can never be obliged

to carry a pregnancy to term. It accepts and is based upon individualism as to suppose that we have obligations to others only if we consent to them. This is a poor model for understanding a parent-child bond. This argument reminds us to pay attention to the bond between the mother & child. Two individual human lives are involved here; yet they are so intimately united that we really have no analogue in our experience to describe their bond. It is unfair to the mother if we require her always to sustain this bond? After all, even after birth a child is dependent upon its mother for care & we would not grant that she could kill the child in order to be relieved of that burden, why should abortion which is killing before birth be any different? J. J THOMPSON ARGUMENT Denies the responsibility of the mother for her unaccepted foetus (see violinist metaphor). PRIVACY But it is different in one respect, after a child is born the rest of us may assume some or all of the burdens of its care before birth we cannot. There are as mentioned no analogues in our experience to the relation between mother and foetus so we must ask again; is it unfair to the mother if we claim that she ought to sustain their bond, a bond she may after all not have desired or sought? When the privacy argument is used as a general principle to govern abortion decisions, it essentially confirms the view that pregnancies & children = private responsibility of the woman. But the privacy argument is flawed, although it may sound attractive, it merely distances us from the ethical argument but eventually brings us back to the problem of the rights of the foetus and one of the biggest Q's of abortion, is the foetus a ' person'? WHEN DOES HUMAN LIFE BEGIN? In order to qualify it a person? Everyone agrees adult humans have the right to life, some say a fertilised cell resulting from conception

does not have the right to life, thus the right to life is required sometime between these two points but when? It has been said that if we are unsure of what stage a foetus becomes a being with the right to life, we should assume that it does have this right as this will do least damage to the foetus. Some argue life begins at conception, the moment of fertilisation being an entirely logical point to choose, it's one of the few points that isn't arbitrary/difficult to judge as an egg is either fertilised or not, at this point the fertilised egg has begun to develop into a separate & unique human being & contains the full genetic code of a human being = not a good argument as so too do all the cells of the body. This only makes the beginning of biological life & some believe biological life is not sufficient to give the foetus the right to life.

Aristotle suggests forty days male and 90 days female = purely arbitrary times and certainly no reason for males & females to get the right to life at diff stages of dev. The idea came from Aristotle's three stage theory of life: vegetable / conception, animal/animation, rational/after live birth. Some believe life begins at the first stage of brain activity = logical, marks necessary state for many of the characteristics that some people think a moral person has to possess, but it doesn't demonstrate that the foetus is actually 'conscious' (viability of the foetus). Some think life begins when the foetus could survive outside the womb = most common criterion when drafting laws regulating abortion. Christian answers to this Q have been shaped by the interaction of biblical & theological concerns with changing philosophical & scientific understandings. Christians pondered the significance of biblical stories of Jacob & Esau, John the Baptist & Jesus in the mother's womb. They considered the significance of original sin & the

necessity of baptism. They reflected upon what it meant that Jesus had assumed the whole of human life. They were affected by theories that distinguished the formed from the unformed foetus, by performanist theories which held that all parts of the organism pre-exist in its first germ & gradually unfold or develop over time. They debated whether the soul of each new person was created by God from nothing & infused at some point into the embryo or whether soul & body as a single entity were transmitted in the sexual act from parents to offspring. Aquinas carefully articulated a distinction between the formed & unformed foetus in the creationist view that the soul was infused by God into the formed foetus. Over time however, due to pressure from theological argument & scientific understanding, the creation of the soul was pushed back to the time of conception & the importance between any distinction of formed & unformed foetus was lessened. Biblical & theological reasons have directed our attention to the beginnings of life, & increased scientific knowledge has clarified the nature of those beginnings. We cannot claim that the bible itself establishes the point at which individual life begins, although it surely directs our attention to the value of foetal life (Ps. 139: 13-16). This psalm depicts a God who does not value achievement more than potential who cares even for the weakest and least developed among us. More important has been the Christological teaching that in Jesus, God has lived & redeemed the entirety of human life, from the very beginnings to the death toward which we all go. He has been with us in the darkness of the womb as he will be in the darkness of the tomb. For Christian teaching & imagination however great or limited our capacities we are all ' fellow foetuses' (Paul Ramsey). Before God we have no

claims/achievements to boast & we can stand with confidence before God only because the whole of our life has been taken up into the death & resurrection of Jesus. We have therefore good theological reason to affirm the continuity of life from its earliest beginnings to its last breath. The Catechism of the CC says human life must be respected & protected absolutely from the moment of conception and that, from the first moment of existence, a human being must be recognised as having the rights of a person. Moreover advancing knowledge of embryological development indicates that the beginning of the mammalian body plan are laid down from the time of fertilisation. The newly fertilised ovum has a top-bottom axis that sets up an equivalent axis in the embryo. Eg. Where the head & feet will sprout is established in the first hours after sperm & egg unite. Even the earliest embryo is more than just a featureless collection of cells; it is an integrated self-developing organism capable of the continued development that characterises human life - & we are right to react with awe & wonder at the mystery of its individual existence. PERSONHOOD No universally accepted definition. If the view of our earliest beginning is correct, we of his/her lives develop when fertilisation occurs. That person does not yet look like us, but looks very much as we did when we were that age. He lacks many of the capacities we take for granted as adults, but so did we at that stage of our lives & so may we again at a future stage of our dev. Over the last several decades personhood has been used to deny protection of the developing foetus. The term points out a set of capacities i. e. consciousness, self — awareness, ability to feel pain, minimal capacity for relationships with others & self - motivation capacity. ' personhood' becomes something a



living human being may/may not possess & the class of persons becomes smaller perhaps considerably smaller than the class of living human beings. If we add that only persons have the right to have their right protected or at least that the only persons have a right of protection equal to ours. We have of course offered a justification for abortion. Foetal life may be of value, but lacking personhood its claim upon us cannot be sufficient to rule out abortion. 'personhood' arguments have more obvious difficulties, if they justify abortion may they not justify considerable none as well? Given the description there will be new borns, senile elderly & retarded who do not qualify as 'persons' & who thus do not have as strong a claim upon us for protection and care as full-fledged persons do. Personhood arguments = exclusive rather than inclusive in their understanding of human community. Personhood argument mistakenly assumes that these distinguishing characteristics constitute qualifications for members in the human community. But to be a member of our community with a claim for care equal an individual need not to possess these capacities. To 'qualify' for membership he need only be begotten of human parents. Each of our personal histories begins with very limited capacity & may end the same personhood is not a thing we possess only at some moments in that history; we are persons throughout it. Donum Vitae (the gift of life), an important church teaching from 1987, tells us that we are to be treated as persons from the moment of conception. Personhood cannot be proved or disapproved from philosophical argument; in fact, different jurisdictions have asserted that personhood begins at different times on the human development scale. The law in the UK says we are not person until we are

born. Until we are persons by that definition we have no legal rights. That means that the woman (who can already be called a mother) is the only one during her pregnancy who has rights & therefore, who may determine if the baby should continue to exist or receive medical treatment. Many people find this argument irrational. The law in this and other countries has been open to challenge: in fact, mothers who have lost their unborn children as a result of a car accident have challenged it & been awarded damages for their loss. Catholic teaching emphasises the personhood of the tiny organism that develops without interruption from the time of conception. Other views of personhood have to invent or decide upon other starting points, mainly to accommodate the intent to override any legal status the new life with otherwise require by virtue of existence. Philosophers debate personhood, & laws may declare when personhood begins, but every woman who becomes pregnant knows that pregnancy of necessity means that another person (the father) is involved. Why else does pregnancy cause so much joy for some & so much anxiety for those who are not open to that new life? A societal denial about personhood enables us to allow abortion as a choice. This is not the case in every country, however, which further highlights the inadequacy & wrongness of most judicial & philosophical versions of personhood. What we accept about persons from our biblical heritage applies to every person, including the embryo. From the OT we learn that our personhood flows from being made in God's image. In the NT, Paul tells us of the privilege we have in being part of the body of Christ, as well as reminding us of the responsibilities we have to the members of the body. These factors are important for Catholics to consider at every stage of life & are extremely

relevant when it comes to technological ways of bringing human life into being. Helen Watt 'abortion is not a mere withdrawal of support'. No prima facie duty to be a good Samaritan. Mother & foetus have a genetic rel, thus mother is the most appropriate person to decide on the foetus best interests — including death. JOHN FINNIS VS PETER SINGER DEBATE 'MORAL STATUS OF FOETUS Both are married with children, both world renowned philosophers. FINNIS: Culture of life. Catholic converts & sometimes collaborates with Germain Grisez (Natural law thinker). Argues there are moral absolutes, i. e. actions that we must never do regardless of our situation, intention & end. Thought even in the title of this debate, referring to a baby as a 'foetus' was unfair & prejudicial to the unborn baby. Q. point we were all once embryos i. e. we are the same beings today just older. At no point on what is a continuum from conception do we cease to be other than what we are; living, human beings of a rational nature who if left to develop unimpeded with the nourishment & support provided by our mothers will grow into the next stage of human development until death. At conception we are already persons, not potential persons. Although in our initial stages of development we are not yet capable of exercising our wonderful capacities for reasoning & free choice. This 'radical capacity' is open to 'actual capacity' & this in turn with growth allowed is open to 'further education'. Finnis would have none of the philosophical talk which says that we can't know the kind of being that we are talking about — an unborn child. According to Finnis moral status is a matter no of 'choice or grant or convention, but of recognition'. Thus talk about conferring moral status is deeply confused about the nature of morality & moral status. The

very idea of human rights & stats ' is of someone who matters whether we like it or not even those as at bottom an equal, because like us in nature as a substantial kind of being. (Brain surgery wiping memory story would brain not be that of newborn or early embryo importance of identity & one's continued existence over time). Same person before and after and like a newborn need the radical capacity for continued life as the one and only person he already is. SINGER: often said to represent the view of the culture of death. Atheist, one of the fathers of the animal liberation movement, utilitarian bioethicist. Thinks there are no moral absolutes, believes that some non-human animals (apes/dolphins) actually have more value & therefore entitled to more respect than some humans, e. g., unborn & newborn babies as well as individuals so called permanent vegetative state & the physically & mentally handicapped. Singer denied human equality. Q. the fact that the human embryo is a member of the species homo sapiens does not confer an ounce of moral status on that being. That would be favouring one species. Thus being a member of the human species does not confer the right to life. The reason certain beings have moral worth & are valuable is because they have certain properties/characteristics i. e. self-awareness, understanding of desires the capacity to envisage the future & to feel pain. The unborn has none of these abilities not even to feel pain. Until 18weeks of gestation. Even the newborn does not have the same rights as he or she will have later on in life. ' being human in the biological sense is of no intrinsic human significance'. He has consistently said to kill an unborn or newborn child is not to kill a human person in his eyes. Allowing abortion is allowing infanticide, just as pro-lifers have always argued. You cannot draw a

moral bright line between ' before birth' & ' after birth' it won't work because if the former is morally good then so is the latter. It seems the characteristics means the child does not require equal rights for several years after birth. Wrote if we compare a severely handicapped human with a dog or pig = superior capacities, the quality of life that each human has or can achieve. Paradox as lost both Jewish grandparents to Nazis and yet argues that abortion & euthanasia = morally justified at any stage & for any reason as long as they contribute to the greater good. QUESTION: what is the moral status of those fetuses/embryos that are in some way severely damaged, such as the anencephalic baby? CHRISTIAN HISTORY From the outset Christians opposed abortion. In the history of European morals, W. E. H. Lecky, having noted that ' the practice of abortion was one to which few persons in antiquity attached any deep feeling,' went on to note that ' the language of the Christians from the very beginning was widely different. With unwavering consistency & the strongest emphasis, they denounced the practice, not simply as inhuman, but as definitely murder'. The moral judgement was dependent upon the view, almost universally held for at least the first 3 centuries by Christians in the east & west, that the child in the womb is one of us from the time of conception. The earliest Christian text we have that explicitly discussed abortion is the Didache ' Do not kill a child by abortion, or kill a new-born infant'. Critics will sometimes note that Christians did not always view early abortions as seriously as they did later abortions (after animation). Such observations miss the point, Christians used the best information they had available to determine when an individual human being came into existence; hence under the influence of Aristotelian biology in

later centuries in the west, the distinction between formed & unformed embryos was for a time influential. But at whatever point Christians believed an individual human being to have come into existence they regarded abortion as gravely sinful. In Jones book ' the soul of the embryo' he states ' the constant & consistent Christian tradition from early Church to 19th C. repudiated abortion at any stage of pregnancy, while offering different penances as a means to reconciliation. The usual method was by drugs sometimes associated with magic, with danger to the user. The motive animating it was seen variously as shame, as avarice as lust. Therapeutic reasons were never justified, it was agreed that abortion was a violation of the love owed to one's neighbour, a failure of maternal love, failure to have reverence for God the creator. Rejecting abortion proudly acclaimed attitude of the Christian community. Abortion was viewed as sin but not murder until the embryo was animated by a human soul. Hippocratic Oath States ' I will neither give a deadly drug to anybody if asked for it, nor will I make a suggestion to this effect. Similarly I will not give to a woman an abortion remedy'. Doctor must be dedicated to the arts of healing and reject the role of killing. Up until the 1970's when mass abortions became licit, hence medical schools chose to drop the oath or administer a more ambiguous one that suited the new era. The acceptance of the attitude that there is such a thing as ' a life not worthy to be lived' is what led to the Nazi doctors acceptance of euthanasia & medical experiments on prisoners. Babies described as parasite, diseases. He who had the power to cure would necessarily also be able to kill. It was learned in 1992 Josef Mengele, the most notorious & brutal Nazi physician became an abortionist in Buenos

Aires, while living out the remainder of his post-war life in hiding. Nazi's saw abortion as a very useful weapon against undesirables e. g. as an act of elimination. Women who received Nazi abortion could not have any more children. IRELAND & LEGISLATION In the Irish context abortion is a particularly heightened issue since the death of Salvia H. it has been said that current constitutional provision & medical practice to date has served women & babies well, yet why are their women being wheeled on wheelchairs to access flights to the UK because their health is in danger. This is completely unacceptable in a western democratic society. The limbo exists due to the failed legislation, in the next few months the Irish Gov. will state clearly when a pregnancy can be legally terminated. Some worry that any new legislation may lead to abortion on demand. Doctors have always vowed to do right by the mother, but what they don't like is that they believe they are stepping into an area of illegality to do so. Irish law & our constitution give unique protection to the unborn, any change to the law could alter the very core of which we are as a society but pregnant women also have rights that need to be protected. It is possible to strike a balance in law, ethics & medicine, which gives pregnant & unborn the protection we as a society want them to have. Irish abortion law government by the 1861 offences against the person act article 43; 3 of the constitution & the 1992 ' x' case that supreme court ruling permits abortion where there is a real & substantial risk to a woman's life, but there is no legislation to regulate how & when a legal termination can take place. Dates back to the 1983 amendment = criticised wording as too vague & legal uncertainty, the unborn is not defined anywhere, still no idea what real and substantial risks mean in a legal sense

under & restricted Irish law may violate human rights. Medical practitioners argue it should be on their best clinical judgement. Why do women themselves have no say in the matter? Recently there have been attempts to legislate to which the Bishop Sean Brady responded that abortion legislation = morally unacceptable, stating it is unnecessary to ensure that women get the life-saving treatment they need during pregnancy. He said bishops have not discussed whether politicians who advocate for the legislation should be barred from communion, as has happened in some US dioceses. There would be a reluctance to politics the Eucharist, politicians have an obligation to oppose the laws that are attacking something so fundamental as the right to life & they would have to follow their own conscience. In Nov 2009 St. Margaret McBride, member of the ethics board of a Catholic hospital allowed Docs to perform an abortion to save mother of 4's life suffering from pulmonary hypertension. Bishop Thomas J. Olmsted excommunicated her on the grounds that while efforts should be made to save woman's life, abortion cannot be justified as a means to that end. Estimated up to 55% of fertilised ovum's miscarriage soon after conception. It is held that the fertilised ovum = person why were/are none of these 'people' afforded funeral rites? EVANGELIUM VITAE 1995 Addressed to each & every person in the name of God; respect, protect, love & serve life, every human life! The church is the champion of 'powerless & voiceless groups; unborn children, the sick & elderly. The Lord's Q 'what have you done' addressed to Cain is to all humanity today on attacks against life which continue to mark human history. The 20thC. will have been an era of massive attacks on life, an endless series of wars & a continual taking of



innocent human life. Members of the church are the people of life & for life. The church is called to build a civilisation of life & love opposed to the culture of violence & death. Arguing that Catholic teaching in this area has a profound & persuasive echo in the heart of every person believer & non — believer alike because it fulfils all the hearts expectations while infinitely surpassing them. the natural law written in the heart the sacred value of human life from its very beginning until its end. Need to build a new pro-life civilisation. Focus is particularly on attacks upon life when it is at its most vulnerable i. e. in its earliest & final stages. Roots of violence lie in an under valuing of human life, a wrong notion of freedom and an ' eclipse of the sense of God'. Dramatic conflict between a ' culture of life' and a ' culture of death'. Before the demands of morality we are all absolutely equal. Preach the gospel of life. Abortion is no worse than cutting social security, or having nuclear arms. It would never have been human if it were not human already; from conception is part of God's plan. It reflects a greater consciousness of the power of culture & social structures in influencing moral decision making. Signs of hope amidst the prevailing culture of death. JP has only words of compassion for women, who are victims of abortion, will be able to ask forgiveness from your child who is now living in the Lord. Everyone unique rel with Jesus which allows us to see the face of Christ, drawing our strength from Christ, who by his death & resurrection has overcome the world. Become the people of life & for life. **DECLARATION OF PROCURED ABORTION 1974** Human life must be protected and favoured from the beginning, just as at the various stages of its dev. Neither that of the father or mother but a new human being, never be made human if it were not human already. The

first right of the human person is his life. Life is incipiently human. Resence of soul is at least probable. (see exodus 21: 22). RAPE/ Mother at risk to suicide Some make an exception for abortion in this case = contradictory, there is a strict deontological position on the 'right to life'. Why do some change position in this case? Perhaps now excused abortion with powerful consequential arguments also concerns about women's rights. Does the foetus have right to life? Philosopher MARY ANNE WARREN believed because the foetus has not reached personhood not guaranteed right to life must have capacity for rational thought to be considered a person. But those in coma's handicapped may not have rational thought but their existence as human is unquestionable. Noonan argues since human parents conceive a foetus then it must be human as an individual genetic code is evident by fact, has potentiality for personhood. For feminists like CHRISTINE OVERALL, the life that a foetus may have does not have the right to infringe on the right of the mother. If rape is excused this opens the door for other cases & could turn moral reasoning from the rights of the foetus to the utilitarian doctrine of the greatest good for the greatest number. = inconsistent argument for the 'right to life'. Christine Overall A reasonable view of abortion needs to concern both autonomy of women and the well-being of the embryo. The main objection to abortion has been it results in death but what if ART can cause life while incorporating both concerns. IVF, Warren states if abortion could be performed without endangering the embryo then the woman would never have the right to destroy it. The foetus is not in the ownership of the parents, thus when abortion takes place the embryo should be preserved for further use, used at a later time by parents or can be

adopted. ECTOPIC PREGNANCY —DIRECT & INDIRECT ABORTION Ectopic pregnancy = indirect abortion. Principle of double effect. MXT used in cancer treatment = morally acceptable when no heartbeat., when is a heartbeat = debated. CONCLUSION A Christian theologian & philosopher; DR. Francis Schaeffer (after abortion legal in US) predicted abortion lead to acceptance of infanticide & euthanasia = rejection of God's moral absolutes like the sanctity of all life which = non-negotiable; evil & madness in ' scientific progress' - making Hitler look like a choir boy. Science addresses the Q ' what is a human being', ethics ' what is the value of a human being (person)?