

Abortion

Abortion is the termination of a pregnancy. We usually use the term to refer to the deliberate termination of a pregnancy, but in medicine, a miscarriage is also called a 'spontaneous abortion'. We will be concerned with deliberate abortion.

A woman becomes pregnant when a sperm fertilizes one of her eggs ('conception'). The fertilized egg is a 'zygote' until it implants in the wall of her uterus, five to seven days later. It is now called an 'embryo', until eight weeks old, when it is called a 'foetus'. However, I shall use the term 'foetus' for the developing organism at all stages from conception to birth.

THE RIGHT TO LIFE

People who oppose abortion usually claim that the foetus has a right to life, because it is a human being and all human beings have a right to life. This is a deontological argument. But why should we think that all human beings have a right to life?

A first argument is this: if we say a foetus does not have a right to life, we are faced with the difficulty of trying to find a point to draw the line. The foetus develops a little each day until it is born, and after that, the child develops a little each day until it is an adult with reason and rights. So how is it possible to say 'now the foetus does not have a right to life, now it does'? At any point where we draw the line, the foetus is not very different just before this point and just after this point.

But what is the basis for having a right to life? One answer is having a soul. The traditional point at which we are said to acquire souls is at conception. Two facts are worth noting. First, two-thirds of zygotes are spontaneously aborted, i.e. rejected naturally by the uterus. If each is made special by the presence of a soul, that seems a moral tragedy. Second, some types of contraception, such as the IUD (intra-uterine device) and certain types of contraceptive pill, work by changing the lining of the uterus so that fertilized eggs cannot implant in it. These methods of contraception do not stop eggs from being fertilized. If abortion is wrong because a being with a soul is prevented from developing, then these types of contraception are equally wrong.

What else might give us a right to life? The things that come to mind – such as reason, the use of language, the depth of our emotional experience, our self-awareness, our ability to distinguish right and wrong – are not things that a foetus has (yet). And many other human beings, including those with severe mental disabilities and senile dementia, also don't have these characteristics. Yet we might think that they still have a right to life.

There is one important characteristic we do all share, and that a foetus acquires around 18-22 weeks, and that is sentience. Sentience is the primitive consciousness of perception, pleasure and pain. If the right to life depends on sentience, then a foetus has a right to life from around 18 weeks, but not before. However, if we choose this quality as the basis for a right to life, it means that many animals have a right to life as well.

THE ARGUMENT FROM POTENTIAL

If the foetus does not have the characteristics that give someone a right to life, we might argue that, unlike animals, it will have them if it is allowed to develop. It has a right to life now because it has the potential to become a person with a right to life in the future.

But we may object that, first, the sperm and the egg that combined to form the foetus also had the potential to become a person. If it is potential that matters, then contraception of any form would be as wrong as abortion. An obvious reply to this is that the sperm and egg don't form a natural 'unit' for us to ascribe potential to. But why think only the potential of natural units that matters?

Second, it is not normal to treat potential as though it was already realized. Someone who has only the potential to become a teacher is not yet a teacher, and should not be put in charge of lessons. Someone who has the potential to become a millionaire cannot spend the money yet. So why think having the potential for those qualities that ground a right to life gives a foetus the right to life now?

THE RIGHT TO CHOOSE

We generally think that people have a right to do what they want with their bodies and what to do in their lives. The foetus is part of (or at least within) the woman's body; it cannot survive without her body. If she has a right to choose what to do with her body, and the foetus has no right to life, then she is not acting wrongly if she chooses to have an abortion. Second, having a child will make a very big difference to her life. We can argue that since she has the right to choose how to live, she has the right to choose not to have a child, especially if she is not responsible for becoming pregnant (e.g. cases of rape or failed contraception).

However, we may object that this argument does not apply once the foetus is able to survive outside the woman's body, a stage known as viability. After viability the foetus could be delivered, kept alive outside the woman's body, and put up for adoption. This could make it wrong to abort the foetus.

What if the foetus does have a right to life? This doesn't mean abortion is automatically and always wrong. Before viability, at least, the rights of the woman may outweigh the foetus' right to life.

ACT UTILITARIANISM

Act utilitarianism asks us to consider happiness in the two situations of abortion and giving birth. The possible consequences are so complex, it is difficult to say what might happen. However, we normally believe it is better to be alive than not alive. So the future life of the foetus weighs heavily in its favour, and certainly outweighs the inconvenience to the woman of carrying the pregnancy to term and then putting the baby up for adoption. But there is a question whether the future experience or preferences of the foetus count now, because before sentience the foetus is not a being with the ability to experience pleasure and pain. Utilitarianism doesn't give us an obvious answer about future beings.

PRACTICAL WISDOM

The discussion so far seems to treat women as containers for a foetus rather than creators of a life out of their own bodies. The meaning of pregnancy and abortion are not explored. Rosalind Hursthouse argues that to think of an abortion as though the foetus does not matter is callous and shows a lack of appreciation for the type of being a foetus is – that it is quite literally one's flesh and blood, developing from oneself ('Virtue theory and abortion'). It shows the wrong attitude to human life, death, and parenthood. But this doesn't automatically make all abortions wrong. If a woman has an abortion because she fears she cannot afford to feed the child or because she has a very demanding job and may neglect the child, this is not a callous thought. However, the fact that she prioritizes her job above children may indicate that her priorities in life are wrong, that she hasn't understood the value of parenthood. But it depends on the particular case. It may be that the woman leads a very worthwhile, fulfilling life, and cannot fit motherhood into the other activities that make her life as good as it is. From this perspective, then, each abortion is an individual case, involving an individual woman in a unique set of circumstances. Each case must be judged by its own merits.