THE MORAL ISSUES OF ABORTION:
ONGOING DEBATES

As a multi-disciplinary issue of controversy abortion has wide dimensions. It perhaps had been the most controversial social, legal, political, medical and moral issue in almost in all parts of the world during the late 20th century. Our research on abortion in the entire thesis has remained confined simply to deliberate termination of human pregnancy; and therefore, the term abortion has been used here only in the sense of deliberate termination of human pregnancy, i.e. induced abortion.

Around the world, abortions are legal in fifty-four countries (61 percent of the world population) and illegal in ninety-seven countries (39 percent of the world’s population). Seventy-eight percent of all abortions are obtained in developing countries and 22 percent occur in developed countries. There are approximately 46 million abortions conducted each year around the world; 20 million of them [are] obtained illegally.¹

In India, the abortion has become duly legalized with the enforcement of the “Medical Termination of Pregnancy Act of 1971” in April 1972; the provisions of which act have been revised in 1975.²

Behind almost every case of enforcement and/or ammendment of a law there remains a (democratic or socialist) public opinion or an (autocratic) personal or group opinion in favour of such enforcement and/or ammendment. Any such opinion, again, is guided consciously or non-consciously, explicitly or inexplicitly by philosophical decision on the issue.

The morality and legality of abortion is an important subject in applied ethics. The scholars of law, theologians, sociologists and historians also discuss this subject. The critics and defenders of abortion (obviously Induced abortions) disagree basically on the following two basic questions:

1. Is abortion moral or immoral?
   and
2. Should abortion be legal or illegal?

In principle, these are two types of importantly distinct questions. Morality is closely related to socially important customs, law and etiquette. But morality demands a whole way of life governed by acceptable principles and motives, law and etiquette do not necessarily demand such a whole way of life. Laws are passed and enforced by the state through a network of penalties.

The question of legality is an extremely important one, so also the question of pragmatic justification. But it has been stated clearly in the thesis that in this work I have focused solely on the ethics of abortion having addressed only the question of the moral permissibility, not the legality or pragmatic justification of abortion. The conclusion regarding the moral permissibility of abortion has been drawn after a careful fair examination of the evidences by sound reasoning.

What, actually, is abortion? Even the medical practitioners, who perform abortion, do not possess any common understanding on this issue. The reason for the non-existence of any universally accepted definition of abortion is the serious controversy on the moral status of this human act. Thinkers, who regard abortion as a non-moral act by equating it with acts like extracting a bad tooth or performing a cosmetic surgery on some ones face at her request, plead for the abolition of legislation regulating or preventing abortion. While those who consider abortion to be a morally condemnable act, plead for appropriate legislation to prevent abortion. There is, of course, a third group of thinkers, which considers abortion to be morally permissible only under certain special circumstances. This group favours legislation for regulating abortion.
The arguments put forward by the first group (usually known as the Pro-choice thinkers), for the moral permissibility of abortion, are basically of two types, viz. (A) Extrinsic Value Based Arguments and (B) Intrinsic Value Based Arguments. The former is consequential or teleological, while the later is deontological in nature. The Extrinsic Value Based arguments, usually understood as the consequential arguments, for the freedom to choose abortion focus upon the harmful consequences of the absence of that freedom. While, the Intrinsic Value based arguments, commonly known as the Right based arguments, focus upon the diminution of autonomy that is inherent in the prohibition of abortion.

The arguments put forward by the second group of thinkers (usually known as the pro-life thinkers), against the moral permissibility of abortion, are also basically of two types, viz. (1) Extrinsic Value Based Arguments and (2) Intrinsic Value Based Arguments. The former is consequential or teleological, while the later is deontological in nature. Advocates of the Extrinsic Value Based arguments sometimes claim that post-abortion syndrome and other alleged medical and psychological troubles are the risks of abortion. The Intrinsic Value based arguments, commonly known as the Right based arguments, focus upon the moral status of the prenatal organism as a human being or as an innocent individual human ‘person’ in the moral sense—a being having right to life; and hence, it would be seriously wrong to kill it.

But unlike the second group, which does not consider abortion to be morally permissible at any circumstance, the third group regards that abortion may be morally permissible only under certain special circumstances. The Moderate Pro-choice and Moderate Pro-life thinkers belong to the third group. Controversy, again, is there on the identification of the special circumstances.
In the thesis entitled **THE MORAL ISSUES OF ABORTION : ONGOING DEBATES** there are six chapters besides PREFACE and CONCLUSION. A brief description of the contents of each chapter of thesis is as follows:

**Chapter-I : INTRODUCTION** contains discussion on the (a) Basic Principles and Questions Concerning the Moral Status of Abortion, (b) Morality and Legality of Abortion, (c) Dimensions of Abortion as a Controversial issue, (d) Abortion as a Medical Issue, (e) Theories Concerning Judgment of Moral Value, (f) World-wide Historical Development of the Socio-legal and Moral Status of Abortion, which includes—a Literature Review centered around the—

(i) Moral Status of Abortion as Depicted in the Ancient Scriptures of East and West,
(ii) Moral Status of Abortion as Depicted in the Modern Literature of East and West, and
(iii) The Problem of Abortion Today in the light of finding out the Research Gap and working out the Objectives of the present research work.

**Chapter-II entitle**d **NATURE, TYPES, CAUSES AND METHODS OF ABORTION** deals with the **Controversy on the Nature, Types, Reasons and Methods of Abortion**.

After explaining critically the various **Definitions of Abortion**, the **Types of Abortion** has been discussed, which again is followed by the study of the **Reasons of Abortion**, that includes—

(a) saving the life of the woman carrying a pre-natal organism,
(b) preserving the physical health or well-being or happiness of the woman carrying a pre-natal organism,
(c) (i) avoiding or alleviating economic hardship, (ii) social stigma of illegitimacy,  (iii) future attitude tinged with bitterness toward the child taking birth as a result of rape or incest, (iv) transmission of fatal disease or deformity from the severely ill or deformed parents,  (v) anticipated...
beatings or incestuous attacks on the child from brutal and violent parent, (vi) future deformity of the child resulting from chromosomal anomalies, (d) achieving control over population growth, (e) meeting the need of the professional career of the woman carrying a pre-natal organism.

The Methods of Abortion discussed here with illustrations are (a) RU-486 (Mifepristone or Mifeprex), (a) Vacuum Aspiration, (b) Manual Vacuum Aspiration, (c) Vacuum Machine Aspiration or Suction Aspiration, (d) Dilation and Suction Curettage, (e) Methotrexate and Misoprostol Hysterotomy, (f) Dilation and Evacuation (D&E), (g) Saline Injection or (Candy apple babies) Abortion, (h) Prostaglandin Dilation and Extraction (D&X) or "Partial-Birth" Abortion.

The focus and purpose of the study here and in the next chapter is to acquire scientific knowledge of the growth of the prenatal organism with a view to developing our moral view on the said issue. Fact is better than fiction and dogmatic rationalization, especially in case of passing a moral and/or legal judgment. This has been followed by philosophical presentation and evaluation of arguments for and against the moral permissibility of abortion, keeping in view these scientific data, in the remaining chapters.

In Chapter-III entitled THE PRENATAL PSYCHO-PHYSICAL DEVELOPMENT OF HUMAN FOETUS attempt has been made to explain the psycho-physical development of prenatal organism exploring authentic references, especially from the medical sciences. The sub-topics dealt with here include: (i) human life begins at fertilization (ii) cell and its constituents: chromosome, DNA & gene, (iii) human body develops from a single cell, (iv) stages of prenatal psycho-physical growth covering the zygotic, embryonic and foetal stage, the three trimesters and the germinal stage.

In Chapter-IV entitled ARGUMENTS FOR THE MORAL PERMISSIBILITY OF ABORTION attempt has been made to explain first
the nature and aims of pro-choice arguments for abortion, which has been followed by detailed discussion on the different sub-types of both Extrinsic Value Based Arguments for Abortion and Intrinsic Value Based Arguments for Abortion. The sub-types of Arguments that have been discussed under the first type of Arguments are namely—

(a) **Hard Cases Arguments** like (i) Rape or Incest Argument, (ii) Mother’s Life Risk Argument and (iii) Deformed Baby Argument,

(b) **Utilitarian Arguments,**

(c) **Social Arguments** like (i) Population Control Argument, (ii) Reduction of Unwanted Child Argument and (iii) Fetal Tissue Transplantation Argument,

(d) **Political Arguments,** viz. Argument from Privacy,

(e) **Psychological Arguments,**

(f) **Economic Arguments** like (i) Argument from Economic Incentive, (ii) Argument from Economic Discrimination,

(g) **Tolerance Arguments,**

(h) **Medical Arguments,**

(i) **Legal Validity Arguments** like (i) Unjust Prosecution of Women-In-Distress Argument, (ii) Unjust Public Policy Decision, (iii) Widespread Disagreement Argument, (iii) Backstreet Arguments.

Again, the sub-types of arguments, that have been discussed under the second type of arguments, i.e. **Intrinsic Value Based or Right Based Arguments for Abortion,** are namely—


(b) **Sentience Arguments,**

(c) **Person-Centric Arguments,**
(d) **Argument from the Psychological Theory of Personal Identity** like (i) Essential Identity of A Person Argument, (ii) Embodied Mind Account of Personal Identity Argument, (iii) Reductionist Argument of Personal Identity,

(e) **Domino Argument,**


In Chapter-V entitled **ARGUMENTS AGAINST MORAL PERMISSIBILITY OF ABORTION** attempt has been made to explain first the nature and aims of pro-life arguments against abortion, which has been followed by detailed discussion on the different sub-types of both Extrinsic Value Based Arguments against Abortion and Intrinsic Value Based Arguments against Abortion. The sub-types of Arguments that have been discussed under the first type of Arguments are namely—

(a) **Hard Cases Arguments** like (i) On Rape or Incest Argument, (ii) On Mother’s life risk Argument, (iii) On deformed baby argument,

(b) **Utilitarian Argument,**

(c) **Social Argument,** like (i) On Over-population Argument, (ii) On Unwanted Baby Argument,

(d) **Political Argument,**

(e) **Psychological Argument,**

(f) **Economic Argument,**

(g) **Medical Arguments** like, (i) Argument from the Cutting Point of Personhood, (ii) Argument from the ‘Genetic Difference of the Prenatal Organism from the Mother’s Organs’, (iii) Argument from the ‘Genetic...
Difference of the Prenatal Organism from the Sperm and Egg that Created It, (Iv) Arguments from the Medical Definition of Life and Death, (V) Argument from the Unique Set of Fingerprints and Genetic Patterns, (Vi) Arguments from the Fatal Effect of Abortion on the Woman and Prenatal Organism, (Vii) Argument from the Mistreatment to the Woman at Abortion Clinic in the Guise of Feminist Service, (Viii) Argument from the Violation of Fundamental Principle of the Medical Profession.

(h) The Future Like-Ours Argument,
(i) Universal Law Centric Argument,
(j) Genocide Argument and
(k) Legal validity Arguments.

Again, the sub-types of arguments, that have been discussed under the second type of arguments, i.e. **Intrinsic Value Based or Right Based Arguments against Abortion**, are namely—


(b) **On Sentience Arguments**, 

(c) **Life Centric Arguments**, 

(d) **Right to Life Argument**, 

(e) **Arguments from the Inter-Changeability of ‘Person’ and Human Being** like Potential Person Argument,

(f) **Personal Identity Based Arguments** like Non-reductionist Argument,

(g) **On Ad Hominem Argument**, 

(h) **Domino Centric Argument**, 

(i) **Pro-life Feminist Arguments** and

In Chapter VI entitled EVALUATION OF THE PRO-CHOICE AND PRO-LIFE ARGUMENTS ON ABORTION I have evaluated first the extrinsic value based fro-life and pro-choice arguments and then evaluated the intrinsic value based fro-life and pro-choice arguments, wherever necessary. The sub-types of Arguments that have been discussed under the first type of Arguments are namely—

(a) Evaluation of Pro-Choice Hard Cases Arguments like (I) Demerits of Pro-Choice Rape or Incest Argument, (ii) Invalidity of Pro-Choice Mother’s Life Risk Argument, (iii) Demerits of Pro-Choice Deformed Baby Argument,

(b) Evaluation of Pro-Choice Utilitarian Argument,

(c) Evaluation of Pro-Choice Social Arguments like (I) Demerits of Pro-Choice Overpopulation Argument, (ii) Invalidity of Pro-Choice Wanted Baby Argument, (iii) Objection Against Pro-Choice Foetal-Tissue Transplantation Argument,

(d) Evaluation of Pro-Choice Political Argument,

(e) Evaluation of Pro-Choice Psychological Argument,

(f) Evaluation of Pro-Choice Economic Argument,

(g) Evaluation of Pro-Choice Tolerance of Other’s Moral View Argument,

(h) Evaluation of Pro-Choice Medical Argument,

(i) Evaluation of The Pro-Life Future Like-Ours Argument like (I) Pro-Choice Contraception Objection and Responses (Ii) Pro-Choice Identity Objection and Responses, (Iii) Pro-Choice Interest in Future Objection and Responses, (Iv) Pro-Choice Equality (in Personhood) Objection and
Responses, (iii) Pro-Choice Objection on the Psychological Connections and Responses,

(j) **Justification of Pro-Choice Legal Validity Arguments** like Critique of Backstreet Argument.

Again, the sub-types of arguments, that have been evaluated under the second type of arguments, i.e. **Intrinsic Value Based or Right Based Arguments against Abortion**, are as follows—


(b) **Evaluation of Pro-Choice Sentience Centric Arguments,**

(c) **Evaluation of Person Centric Arguments** covering Definition of Person and Demerits of Pro-Life Potential Person Arguments,

(d) **Demerits of Ad Hominem Argument,**

(e) **Evaluation of Feminist Arguments** including (i) Invalidity of pro-choice responsibility argument, (ii) Demerits of pro-choice right to life argument, (iii) Untenability of pro-choice self defense argument, (iv) Objection against the pro-choice interference of career argument, (v) Untenability of pro-choice bodily right argument, (vi) Invalidity of pro-choice property right argument, (vii) Untenability of the pro-choice claim: “abortion can be the lonely decision of pregnant women”,

(f) **Evaluation of Argument from the Man's rights in abortion-decision.**

At the end in the **Conclusion** of the thesis it is said that from our study it follows that the moral status of the prenatal organism has been a pivotal issue in all discussions of the ethical acceptability of abortion and any
discussion on the moral acceptability of abortion mainly revolves around two issues, viz.

a) biological development and moral status of a human foetus, and
b) justification of the reasons usually offered to seek an abortion.

Having dealt with almost all the concerned conflicting views on these two issues we have got reasonable answers to almost all relevant questions.

Hence on the basis of our study it is stated in the Conclusion of the thesis that right from fertilization a prenatal organism is a living being, a human being and a person with immense potential for multi-dimentional psycho-physical growth and development; and hence, the moral status of a prenatal organism is the same with, if not higher than, that of a born human being or person.

On the question—Why should a prenatal organism be considered as having higher moral status than its mother?—it is replied that a prenatal organism should be considered as having higher moral status than its mother on the ground that it is more innocent than the later and also that it is the offspring of the later.

Again, although a prenatal organism may not qualify to be a subject of moral judgment—in the sense that it can pass a moral judgment, yet as an actual person with higher potentials it is a moral subject enjoying right to life, right to privacy and right to dignity. Naturally, from the scientific facts and discoveries recorded here in the thesis, it is proved beyond doubt that a prenatal organism can not reasonably be a part or organ of the body of the woman carrying it like a tissue or an appendix.

Consequently, the question—At what stage of the biological development of the prenatal organism does abortion attain moral status?—can be answered in the following manner:
Since, at no stage of the biological development, right from fertilization, a prenatal organism can reasonably be equated with a part or organ of the body of the woman carrying it like a tissue or an appendix, and since a prenatal organism attains the status of a living being, a human being and a person with immense potential for multi-dimentional psycho-physical growth and development; hence, the moral status of a prenatal organism being the same with, if not higher than, that of a born human being or person, abortion—the deliberate act of killing an innocent living human being and person with immense potential (which includes interests as well)—can not reasonably be non-moral, but immoral.

Last, but not least, as a full-fledged member of human community and as a moral subject a human prenatal organism is very much a member of the moral community, i.e. the community of human persons having moral status with right to life and under certain conditions deliberate acts of whom can be pertaining to morality.

This being the basic philosophical position on the moral status of prenatal organism and abortion definite decisions on almost all the important controversial issues necessarily follow from this philosophical position.

It is then shown step by step that most of the reasons usually given as the legitimate grounds for moral permissibility of abortion are not justified on the ground of the above-stated basic philosophical position on the moral status of prenatal organism and abortion.

From our discussion with sufficient number of vivid illustrations in the second chapter of the thesis the comparative brutality of the methods of abortion has been exposed. It is really a wonder how one of the super civilized and highly educated class of members—the surgeons—of a highly civilized modern society perform such brutal acts violating the basic Hippocratic oath and the cardinal virtue—ahiṃsā.
The purpose of writing the thesis is not to prove the brutality of abortion, but to save the lives of the millions of pre-born humans, who may grow up as great men. Let the unsounded cries of the millions of pre-born humans—“mammy, daddy.....please kill me not”—enter the ears of those humans who plead for killing them, who are about to kill them and who are about to assist others in killing them. So, we should conclude by saying once again,

“Do No Harm”—“mā hīṁsyāt bhūtānīt”.

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