

Is Abortion Justified? - A Philosophical Observation

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Abstract:

Abortion is well discussed topic that attracted debates for centuries too. Whether is it acceptable or not? Is it ethical or moral or not? These questions take rounds in all societies. From ancient India, Egyptian, Greek-Roman to modern world, all face this dilemma. But abortion had taken place in ancient societies as it is taking place in modern day societies as this is a natural and primitive biological state of human life. And when we discuss about abortion, it is obvious that the woman or the probable mother will be in the centre of the discussion. Whether the particular woman is getting right to abort her fetus or baby as per practical need or giving this right to women can bring any instability in the society, this is an important concern now. On the other hand, there are many major religious and ethical views about abortion as in this medical process, actually a fetus or baby is losing its life even before seeing the world. We will discuss views of Hinduism, Islam and Christian views on this topic also.

Along with this, we will talk about modern day legal status on abortion and how it is practically and logically trying to resolve many issues. But before understanding the need of abortion, we should know the situations or reasons when a mother wants to eliminate own child suppressing own all emotions badly. For that, we will try to understand those situations in detail prior to that.

Keywords: abortion, pregnancy, miscarriage, foetus, infanticide, value of life, human rights, women's rights, ethical evaluation, religious evaluation.

Introduction:

Abortion is a practice of ancient societies. It has been documented in almost every ancient civilization around the world. In ancient tribal communities, abortion was a common practice though the style of executions was different. Sometimes particular herbs were used in the ancient time to eliminate pregnancy or usage of sharpened tools, creating pressure on abdomen etc. were few of those common methods to apply abortion in ancient times. There were more nonsurgical methods to abort fetus like, climbing, doing laborious

work, diving, pouring hot water on the abdomen, weightlifting, fasting and many more. There was a term - “spontaneous abortion”, that means a natural abortion or miscarriage as we know today.

In Indian ancient text Ramayana, we find mention of abortion too. In *Sunderkand* (28th Swarga, 6th Shloka), it has been cited that a barber will cut the fetus with a sharp knife to save the pregnant woman. From 1075 BCE., we witness a death penalty judgement for performing abortion by a woman going against her husband’s wish. This is seen in The Code of Assura of Assyrian civilization. Recorded mention of abortion is found in Egyptian civilization also from 1550 BCE., written on papyrus. Sculptures showing massage abortion (creating pressure on pregnant woman’s abdomen) is seen at Angkor Wat temple in Cambodia. Documented proof of abortion in Japan is found from early 12th century. It was specially practiced by farmers as there was long term famine and adding to this, the then government had imposed high rate of tax also. Practice of abortion was believed to be present in native people of New Zealand, [Māori](#).

The great Greek philosopher, Plato had mentioned about abortion in ancient Greek-Roman society in his *Theaetetus*. Though there is a common belief that abortion was punishable at that time. A natural plant named **Silphium** had been used by ancient Greek society as abortifacient and contraceptive.

‘Abortion’ the word originated from a Latin word, [*abortiōnem*](#), means (miscarriage). This word expresses a situation where some process or similar to it is stopped or canceled forcefully going against its natural movement. In our discussion, we will use this word “abortion” to describe a situation where a fetus or baby is terminated in the mother’s womb before its natural delivery for any genuine reason or sometimes for someone’s vested interest.

Why abortion:

As abortion is a common phenomenon all over the world, this practice has been surrounded by many legal and most importantly ethical questions for long time in human civilization. In today’s civilized society, whenever any of us hear about abortion, majority of us raise our eyebrows influenced by our ethical value system. We spontaneously consider this practice as unethical without considering its diversified reasons and we specially forget to understand the possible critical conditions in which a mother can think

to abort her own baby. Abortion is not always an irresponsible act; it may have physical, social, medical, financial complications too.

Let's focus on few generally unuttered abortion reasons that make us to think about this practice differently.

Abortion may take place in unplanned pregnancies. A survey says, it becomes the reason in approximately 36% abortion cases. But it may be termed as an irresponsible attitude too. We will argue on it later. But another very practical and painful reason is financial inability. This shares around 40% part of abortion reasons. Here the question of responsibility can be raised too but at the same time we must keep in mind that situations of our financial state may fall without any notice and specially in today's highly volatile socioeconomic conditions.

There come a vital reason after these, and that is relationships status and its relationship health. In many new or bad relationships, the girls become helpless and decide to abort her baby unwillingly also. She may not be mentally, financially prepared to become a single parent. Here support of the other partner plays the most crucial role. And there is another probability also of not getting family support from both or either side despite having consent of the girl and the guy too.

Abortion can take place if a baby comes between a woman's professional growths too. If the presence of a baby contradicts with that particular woman's career goal, the baby needs to face the consequence and he/ she has to sacrifice own life even before taking birth in this world. But in many cases women decide to abort as they think that they are not mentally or emotionally prepared enough to take that responsibility. We may think about psychological or emotional counseling in this kind of situation instead of taking an extreme step like abortion. Because survey also claims that in 7% abortion cases, women are not mature enough or not independent.

In many situations, couples together decide to abort the upcoming baby for the sake of the present one as they feel, they will not be able to take care of both the babies simultaneously. So, they give priority to the present one. Couples feel that they can't provide a good lifestyle to that new born baby that he/ she deserves actually.

But apart from all these financial, emotional, social, psychological and other diversified abortion reasons, there is another very important reason - medical reason. This medical reason or the health issue can be discussed from two angles - mother's health and fetus or baby's health.

In the second trimester of pregnancy, doctors conduct few tests that can unveil negative health conditions which may affect baby's quality of life. It may show any probable fetal death condition too before its birth or soon after the delivery. So, at this moment parents or family members need to take the final call. Babies can have kidney, heart, neural tube difficulties and at these situations, babies don't live long after birth so in many cases, the pregnancy is terminated. Apart from these, there could be some Chromosomal abnormalities which can have impact on baby's well-being, like trisomy13, trisomy18, Down syndrome, Turner syndrome etc. These are called birth defects.

On the other hand there could be some physical difficulties of the mother like, placental abruption, cancer, hyperemesis gravidarum (severe morning sickness), infection, or advanced preeclampsia. These may turn fatal to either the baby or to herself. In this kind of situation, termination of pregnancy is advised medically.

There are some other reasons for abortion too like, some bad habits of the mother - smoking, alcohol consumption, uncontrolled lifestyle etc. And one more very common and possible reason is any sort of accident during pregnancy.

Apart from these some briefly discussed abortion reasons, there could be many more hidden reasons too as religion, culture, tradition, rituals etc. play vital roles in human lives too and all of these are very different from one country to another or from one society to another society.

Is abortion justified?

Major religious organizations mainly oppose this practice. Christianity talks against abortion practice strictly. It says abortion is equal to killing a person. But here the question arises, when a fetus becomes a person? As per Italian priest, Saint Thomas Aquinas, ensoulment takes place after 40 days of conception in case of male child and 90 days in case of female child. So, after this period, it will be considered as a crime or sin if abortion

is done. But protestant like Martin Luther and Calvin argued in different way. They claimed that body and soul come into existence at the same point of time and that is the time of conception. There is not later period for soul to get added to the body in the womb. So abortion is a crime it doesn't matter when it is done throughout pregnancy period. Pope Pius IX had imposed penalty of excommunication in 1869 at any stage of pregnancy. Pius XI termed human life as "sacred" by saying that abortion is going against "*the sacredness of an innocent human life*". It was the first time from a catholic magisterium to term human life as "sacred". So, it is vividly clear that Christianity doesn't support abortion procedure at any stage as it is against humanity and Christianity consider a human life as sacred gift from God. So killing a life is violation of God's will.

In Islamic tradition female infanticide of Arabian tribal groups has been criticized and condemned. Those tribal groups would abort children because of their poverty and hunger in pre-Islamic era. This has been strictly condemned in Qur'an (17:31). Same as Christianity, Islam also fixes a time of ensoulment. In Islam, it is 120 days after pregnancy to get ensoulmented. And after this period, it is a crime to kill a life. Because as per Islam, after the ensoulment the life becomes a legal entity. That is why in that state abortion will be considered as act of homicide. But few Muslim scholars observe that abortion is permissible at some situations where life of the mother is in danger with consent of family members and medical professionals. But the *Zahiri* (Literalist) prohibit abortion completely in Islamic society. So, in majority Islamic society is against abortion from ethical and religious point of view except some exceptional conditions.

In Hinduism, *Manusmriti* and *Charaka Samhita* says that the spirit is in the matter from the time of conception. There is not any later time of it. As per Hinduism, foetus is the human entity at the elementary stage, so it is always a crime to abort any life in the womb also. The main motto of Hinduism to promote and protect life and it considers abortion as killing. Hinduism says, if a woman executes abortion, she will be punished in this life and in next life too. And she will be impure.

According to *Bhagavatgītā(16:2)* a foetus must be shown *ahimsa* (*non-violence*). This statement manifests the philosophy of Hinduism related to life. But in exceptional cases, Hinduism supports abortions to save life of the mother. *Suśruta Samhitā* allowed removal

of damaged or defective foetus. This can be done on the basis of *daya* (compassion) as per *Suśruta Samhitā*.

We can observe that in major three religions, abortion has been condemned from moral and religious grounds both. But two of them have given permission to execute it in some critical cases. Time has changed a lot from ancient societies and several new situations have come up gradually. In present time, a woman needs own right to take decision regarding abortion. In case of rape, the concerned woman must have right to abort the foetus any time (as per medical guidance) if she wants. Or if it is found medically that the baby will born with any kind of defects or incurable disease. Sometimes birth of the baby can be fatal threat to the mother, so in this situation also legal abortion is acceptable. Apart from it, parents or close family members may take decision of abortion in case of pregnancy of any minor. These are practical problems in the society which must be resolved by providing right to women to execute abortion procedure as per their own need and understanding. But this doesn't mean that right to abortion can be limitless and synonymous to arbitrariness.

Stoicism has also accepted the practice of abortion but from a philosophical perspective. Stoics say, a fetus is similar to a plant in nature and it can be considered as an animal or an individual identity once it takes birth and breathe for the first time. That is why, stoics support abortion when the fetus or the baby is in the mother's womb.

In modern times also, many countries have realized the relevance and importance of abortion, so they have legalised practice staying within a limit and structure but at the same time, there are countries that don't allow abortion practice and face protest often.

We must say that abortion can't be supported or legalised at any situation as it may have a very negative impact on the society. Talking about India, abortion has been legalised here for decades. There is **Medical Termination of Pregnancy (MTP) Act, 1971** that has been amended in 2003. But it doesn't entertain limitless abortion. If a woman appeal for abortion under this law, she needs to meet some criteria to avail this medical service.

In India, abortion is permitted but the process must be executed by a registered medical practitioner and the length of the pregnancy should be less than 20 weeks. Or in some

exceptional cases, this can be maximum 24 weeks but that must be decided by a medical practitioner. There must be two valid grounds for the application of abortion under this law - 1. if the delivery of the baby is fatal to the mother or may affect mental health too and 2. if it is observed medically that the baby will suffer from any physical or mental abnormality in further life after its birth. Permission has been given to abort in case of rape also. But the whole process must take place under a medical board consists of a Gynecologist, a Pediatrician and a Radiologist or Sonologist.

Conclusion:

From above detailed discussion, we can conclude that the concept of abortion is not new to human civilization. Many civilizations had faced the need of it and at the same time had experienced legal, ethical, moral and obviously religious questions on the same. In modern time, we can say our lives and lifestyle have become very complicated and it yield many unexpected situations and “unwanted pregnancy” is one of those. This unwanted pregnancy may take place for many reasons like - rape, sexual intercourse at minor age, couples with unplanned conceptions, women who don't want baby due to any professional reason, break ups in relationships during pregnancy and many more complicated reasons and situations. In these mentioned situations women need a legal way out to get rid of unwanted pregnancy complications and here the need comes. Considering these practical issues, Government of India has legalized abortion in controlled manner since 1971.

Being members of a civilized and modern society, we can say that abortion procedure is needed but it should be in control and the law must be updated and amended with times as our present time is changing very fast. With this changing time, many new kinds of situations are coming up. Abortion process should not be used with any bad intention as for killing a female baby or baby with minor difficulties physically or mentally. In these cases, the need of abortion is related to either superstitions or any vested interest.

The government and a awakened society, both have the responsibility to keep vigil on unethical practice as any procedure can be used in negative way. The abortion process in legal and medical way is acceptable and desired to keep the society in balance but it must be handled properly to avoid child assassinations. No one should get opportunity to fulfill own vested interest with the help of any process that has is available in the society to solve problems of a greater cause.

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