RESEARCH ARTICLE

ON ABORTION: SPONTANEOUS AND INDUCED.

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Abstract

In contemporary times, ‘abortion’ is one of the important dilemmas confronting to human society. It is a dilemma from which we cannot escape, and to which we have a collective responsibility to address. All dilemmas have two alternatives, and to choose one over the other can be a very difficult choice for any person. Even though there might not always be a ‘solution’ which can be universally applied, we have to decide what ought to be done in various situations. Human beings are responsible for their actions and morality depends on human actions. But morality does not exist in a vacuum, and what defines morality varies from situation to situation. So in decision-making, there is a place of the ‘virtue of prudence’. Most of us try to take the best decision possible in a particular situation. It is therefore important for individuals to practice prudence. Each individual should know the criteria of what exactly defines ‘prudent’ behavior, what the grounds for good human action are, and what actions are morally justifiable. In this regard, I shall analyze Philippa Foot’s suggestions vis-à-vis the debate of abortion. In this Paper I have two Sections. In the first section I am discussing the various moral issues on abortion and I begin in section II by discussing a speculative framework of choice that outlines the ways and give an exposition of the value of prudence which is used in this area and also offer some suggestions for changing the existing legal, social, and political scenery to better respect the capacity of all women for reproductive self-determination. I also briefly discuss the implications of my analysis for the future of the broader abortion debate.

Medically speaking, abortion is simply the pre-mature termination of a pregnancy prior to birth. There are two types of abortion:

- Spontaneous abortion.
- Induced abortion.

Spontaneous abortion is akin to miscarriage, whereas induced abortion is caused either by the woman herself or by another person. In the latter case, it is often referred to as therapeutic abortion. This kind of abortion is normally done for the woman’s health, or at least it is a medical procedure to be performed at the woman’s request.¹

The issue of abortion raises important questions: what exactly determines when a being is ‘human’? When is it lawful to kill? These questions are linked in any consideration of the morality of abortion. These are in fact the questions central to any morality for human beings. So one of the reasons why most of us feel puzzled about the problem of abortion is that we do not want to accord to the unborn child the rights that belong to adults and children. It means that we do not see an unborn child as having the same stature as any other living being and therefore the basic feelings, emotions, and rights of the unborn child do not figure in the debate. No doubt this is the deepest source of the dilemma. Here some general questions illustrate that this type of conflict begins due to the choice of human beings.

In analyzing why a pregnant woman would seek abortion, there are several moral questions which need to be addressed:

1. The value of life involving the unborn fetus, and also the quality of life of the woman has been taken into consideration.
2. One cannot undermine the principle of freedom, applying to the woman’s right over her own body and procreativity.
3. The question of whether we give the same right to the fetus as we give to a living human person has to be squarely addressed?
4. When there is a threat to the life of the mother posed by the fetus, there is the question of choosing one over the other.
5. Similarly, when the pregnancy causes severe damage to the physical or mental health of the mother, it complicates the debate over abortion.
6. When there is the possibility of giving birth to a defective child with severe mental or physical problems, it raises the question of taking responsibility of bringing into the world a person incapable of handling life.
7. When the pregnancy is the result of rape or incest, the issue of the woman’s rights over her sexuality and powers of reproduction have to be considered.
8. When the mother is unmarried, there will be the additional social stigma of illegitimacy, particularly in overtly patriarchal societies.
9. When the birth of the child is an unbearable financial burden on the woman and the family, the question of a community’s collective responsibility over ensuring a decent life arises.
10. When the pregnancy interferes with the professional career of the mother and with the happiness of the couple, the question of choosing the parent’s desires over the unborn child once more has to be addressed.
11. Sometimes, the state uses the concept of ‘social’ obligation to control population growth to allow and encourage abortion.

In discussing the above issues, we shall use ‘prudence’ and coming to any conclusion as to on what grounds abortion can be morally justifiable. Abortion has been discussed since times immemorial. Even the great Greek philosophers Plato and Aristotle wrote extensively on and discussed this issue. Plato and Aristotle thought of abortion as a way of preventing overpopulation. In Republic, Plato suggests that “Abortion was proposed as a solution to prevent endangering the optimum population of the state.” In Politics, Aristotle also proposed abortion “when couples have children in excess, but abortion be procured before sense and life have begun.” Aristotle promoted and justified abortion with remarkable caution saying it is to be done before there is “sensation and life,” and “what is right depends on the question of sensation and life” – a restriction which in his biology might have permitted contraception.

So the question rises: when does human life begin? The morality and immorality of abortion may depend on the answer to this question. There are many views put forward by different thinkers. Some thinkers are of the view that a new human life begins at the very moment of conception, i.e., when the egg and sperm are fertilized. Some others are of the view that it begins with quickening or viability. Yet others maintain that life begins with the birth of a

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baby. So “abortion and destructive embryo experimentation pose difficult ethical issues because the development of
the human being is a gradual process.”

Before we consider the moral status of the fetus, it is necessary to know the biological development of the fetus
during the pre-natal period. There are three stages of development of a human fetus. The question of where abortion
is morally justifiable, or what one ought to do in a particular situation given the possible alternatives, can be best
addressed if we practiced prudence.

In the first stage of development of the fetus, conception takes place when a female reproductive cell - the ovum - is
fertilized by the male sperm, resulting in a single cell called zygote. The single cell zygote inherits twenty three
chromosomes each from the ovum of the female and the sperm of the male. Thus the zygote’s twenty three pairs of
chromosomes form the basis of full genetic code of humans. Pro-life groups use this biological fact for supporting
the potentiality principle.

All the information needed for the development of fetus is already present Aristotle, Politics, trans. Benjamin
Jowett, Book VII, (New York: Colonial Press, 1900). In the zygote, that is to say all the human attributes and
characteristics which make a human individual are already present is the embryo. Therefore some thinkers claim that
the beginning of human life deserves protection for its development. For them, abortion is morally wrong once the
conception has taken place. Between the stage of 12th and 16th weeks ‘quickening’ occurs. Quickening is the time
when the mother first feels the fetus movement. In traditional catholic theology, this was to be the moment at which
the fetus ‘gained its soul’. The soul is not inserted until the body had been formed. According to St. Augustine, “no
soul before the form so abortion was homicide only when the fetus was formed.” But Aristotle suggests that “in the
case of male children, the first movement usually occurs about the fourteenth day, but if the child be female it occurs
nineteenth day.” But Thomas Aquinas observes that ‘the soul is in the embryo the nutritive from the beginning,
then the sensitive, lastly the intellectual soul.”

Again most thinkers propounded that the state of human life is stage of viability. Some times between the 24th to 28th
weeks, the fetus reaches the stage of viability, the point at which it is capable of surviving outside the womb of the
pregnant mother. Thus human pregnancy during its nine month period from conception to birth involves three
different stages of biological development.

Now the question arises: on which grounds is abortion morally permissible? Many ethicists agree that abortion is
permissible sometimes for some reasons but what reason can justify an abortion? ‘Prudence’ is one virtue which is
to be practiced, because as a virtue prudence is practiced intellect, which exists to make an exact determination
of what is to be done in particular situations, not simply ‘to know’ what is but to know what ought to be done.

Section II-

There are three important view points on the issue of abortion. The conservative and liberal views constitute two
extreme positions on the issue of abortion. Conservatives assert that abortion is never ethically acceptable. They
give a formal argument.

First Premise: It is wrong to kill an innocent human being.
Second Premise: A human fetus is an innocent human being.
Conclusion: Therefore, it is wrong to kill a human fetus.

7 Noonan, John T., The Morality of Abortion Legal and Historical Perspectives, Harvard University Press,
Cambridge MA, 1970, p.70
8 Singer, Peter, The Practical Ethics, etc., p. 141.
11 Aquinas, Saint, Thomas, Summa Theologica, trans. Fathers of the English Dominican province, Benzirgers Bros,
Perrysburg, Ohio, 1947, p. 2141.
12 Singer, Peter, Practical Ethics, etc., p. 138.
They argue that abortion is always immoral, irrespective of the stage of fetal development and irrespective of alleged justifying reasons. The liberals claim that a woman has a right to do with her body whatever she wishes and for whatever reasons she may have to choose to have an abortion. So abortion is morally permissible. Now coming to the moderate view, according to which abortion can be justified at an early stage of pregnancy though not at a later stage. This view maintains that in the early stage of its development, the fetus does not possess full moral status. But at a later stage, it does.

However, it is also to be noted that the moral status of the fetus appears to be based on the definition of a person and the characteristics attributed to personhood. The discussion concerning abortion is therefore based on the criteria for determining personhood. Hence the concept of personhood is the main criteria of the moral status of the human fetus. What does it mean to say that someone is a person? Personhood is a way of talking about the unique qualities of being human, about human dignity, about the spiritual and moral aspects of being a man or a woman, about human rights and human obligations. Personhood belongs to the realm of knowing by which we affirm that there is a fundamental difference between human beings and other creatures. To distinguish humans from other forms of life, John Locke specifies certain essential characteristics such as rationality, intelligence, reflection, and self-consciousness. According to Locke, a person is a thinking intelligent being that has reason and reflection, and consider itself as itself, the same thinking thing in different times and places; which it does only by that consciousness, which is inseparable from thinking, and as it seems to me essential to it.

John. T. Noonan pointed out that if a being is conceived by a man and a woman, and thereby has a human genetic code, that is twenty three pairs of chromosomes, that being is a human being. According to Noonan:

At conception the new being receives the genetic code. It is genetic information which determines his characteristics, which is biological carrier of the possibility of human wisdom, which makes him a self evolving being. A being with a human genetic code is man.

Since a human fetus contains the genetic code of human parents, Noonan argues that the fetus is a human being from the time of conception. Noonan concludes that once the humanity of the fetus is recognized on the basis of its genetic code, abortion is morally wrong, except in certain rare cases where the life of the mother is in danger. Peter Singer defines that a person has the rationality, self-consciousness, awareness and a capacity to feel.

Marry Anne Warren has on the other hand suggested that “the concept of a person is a moral concept; once we have admitted that x is a person we have recognized, x is right to be treated as a member of the moral community.” She has therefore suggested the following traits:

1. Consciousness of objects and events both external and internal to the being, and in particular, the capacity to feel pain.
2. Reasoning, the capacity to solve new and complex problems.
3. Self-motivated activity, which is independent of either genetic or external control.
4. The capacity to communicate, by whatever means, messages of an indefinite variety of types.
5. The presence of self-concepts, and self-awareness.

Warren further asserts that an entity need not possess all these attributes; (1) and (2) alone may be sufficient for personhood. But if this is the criteria, then many human beings – for instance infants and children – would not reflect all these criteria in a satisfactory manner. Yet we show our moral concern towards them and treat them as if they were persons.

A woman has the right to decide what she will do to her body: whether she will go through the pregnancy or not, because a baby takes food from mother’s womb. If she denies this, how can the baby live in the mother’s body? A

\[ \text{(Ibid., pp. 143–146.)} \]

\[ \text{14 Locke, John, } \text{An Essay Concerning Human Understanding,} \text{ in Peter H. Niddith (ed.), Clarendon Press, Oxford, 1979, p. 335.} \]


\[ \text{16 Singer, Peter, } \text{Practical Ethics, etc., } \text{p.151.} \]

\[ \text{17 Waren, Anne, Mary, } \text{On the Moral and Legal Status of Abortion,} \text{ Oxford University Press, Oxford, 1973, p. 126.} \]

\[ \text{18 Ibid., p. 126} \]
woman is a rational being and a moral agent as well. Being rational, capable and a self-conscious moral agent, a woman can develop an ability to exercise her autonomy by developing her basic capabilities. Basic capabilities mean a person being able to do basic things. Martha Nussbaum adopts a principle of each person’s capability, based on a principle of each person as an end. The capability of a person depends on a variety of factors including personal characteristics and social arrangements. Health, security and education are important opportunities for development of capabilities of a person. If a person is provided right educational and material support, he/she will become fully capable of all human functions.

Thus a woman as a person must have the freedom to choose her action in order to exercise her moral autonomy. It will be a violation of a woman’s right and disrespect of her personhood to deny her the choice of seeking abortion when she has come to a rational conclusion that it is not in her interest to bear and rear a child.

Again one needs to clarify a point here: society plays a major role in the moral status of a person, because a person could not live without society or community. So there is much social pressure exerted by society in overt and covert ways, which is reflected in dilemmas faced by women making decisions on whether or not to go in for abortion of the fetus. Some of the obvious social causes encouraging abortion are poverty, ignorance or unavailability of effective contraception. In present day societies, overpopulation and economic difficulties impose serious constraints on the parents. Most of the unwanted children do not get proper care and support from their parents. In many societies, becoming a victim of rape is a social stigma as well which a woman has to carry with her throughout her life.

Rape is a morally evil deed. The immorality of rape lies in its involving assault, violation an unwanted and involuntary infliction of distressing bodily contact and possibly of fear, pain and humiliation. It may also involve and real danger to the victim’s physical and mental health and to her prospects of future happiness. So in the case of rape and incest, neither women want to bear nor are their family and society ready to accept the child who may be born as a result of rape. But one thing is that if we practiced prudence on the individual ground, to some extend we shall remove this social stigma. To carry a pregnancy to term is an arduous and risky undertaking, even when voluntary. To be sure many women enjoy their pregnancies; but for those who remain pregnant against their will the experience is apt to be thoroughly miserable.

Philippa Foot has made significant contributions to applied ethics. She discusses these above issues with the help of practical wisdom, because a prudent person makes decision with articulate above questions. The virtue of prudence is what helps to guide our reason in all moral decisions that how we should act and how it is beneficial to the society. She defends the doctrine of double effect by endorsing the distinction between direct intention, oblique intention, and foresight. She has given a new theory which is known as ‘trolley problem’. It is help to solve the moral dilemmas like abortion, euthanasia etc. In “The Problem of Abortion and the Doctrine of the Double Effect”, abortion motivate the question of how central the “doctrine of the double effect” is to ordinary ethical judgment. Philippa Foot does an excellent job explaining the distinction on which the doctrine rests that between intended and foreseen-but-not-intended results of an intentional action. She offers a clear and compelling account of why the main thrust of the doctrine—the claim there are cases in which it is unethical to intend a result but it is not unethical to bring about as (merely) foreseen. She thought that virtues like benevolence, charity, justice, liberty, equality provide service to the human beings, but under what condition one has to apply these virtues is only decided through practical wisdom. These aspects of Philippa Foot’s discussion make it useful to practitioners engaged in helping clients think through some of the many ethically and emotionally challenging situations that face us all, especially those cases in which considerations of justice and of kindness appear to pull in opposite directions.

The doctrine of double effect says that if doing something morally good has a morally bad side-effect it is ethically permissible to do it providing the bad side-effect was not intended. This is true even if you foresaw that the bad

20 Ibid., p. 5
effect would probably happen. The principle is used to justify the case where a doctor gives drugs to a patient to relieve distressing symptoms even though he knows doing this may shorten the patient's life. This is because the doctor is not aiming directly at killing the patient - the bad result of the patient's death is a side-effect of the good result of reducing the patient's pain. A doctor who believed that abortion was wrong, even in order to save the mother's life, and might nevertheless consistently believe that it would be permissible to perform a hysterectomy on a pregnant woman with cancer. In carrying out the hysterectomy, the doctor would aim to save the woman's life while merely foreseeing the death of the fetus. Performing an abortion, by contrast, would involve intending to kill the fetus as a means to saving the mother.

Philippa Foot has given an example that it would be wrong to throw someone into the path of a runaway trolley in order to stop it and keep it from hitting five people on the track ahead; that would involve intending harm to the one as a means of saving the five. But it would be permissible to divert a runaway trolley onto a track holding one and away from a track holding five: in that case one foresees the death of the one as a side effect of saving the five but one does not intend it.

**Conclusion:**

To illustrate, consider a woman whose life is endangered by her pregnancy. Is it morally permissible for her to have an abortion in order to save her life? One of the reasons why most of us feel puzzled about the problem of abortion is that we want, and do not want, to allow to the unborn child the rights that belong to adults and children. When we think of a baby about to be born it seems absurd to think that the next few minutes or even hours could make so radical a difference to its status; yet as we go back in the life of the fetus we are more and more reluctant to say that this is a human being and must be treated as such. No doubt this is the deepest source of our dilemma, but it is not the only one. For we are also confused about the general question of what we may and may not do where the interests of human beings conflict. We have strong intuitions about certain cases; saying, for instance, that it is all right to raise the level of education in our country.

The words 'double effect' refer to the two effects that an action may produce: the one aimed at, and the one foreseen but in no way desired. “By 'the doctrine of the double effect' I mean the thesis that it is sometimes permissible to bring about by oblique intention what one may not directly intend. Thus the distinction is held to be relevant to moral decision in certain difficult cases. It is said for instance that the operation of hysterectomy involves the death of the fetus as the foreseen but not strictly or directly intended consequence of the surgeon's act.”

This doctrine does not help to get rid of the entire problem. This doctrine only allows abortion of cancer patient but not allows or discusses the whole issues discussed above. So Philippa Foot not much agrees with this doctrine. She says that an abortion is justifiable but first sees what the circumstances behind this are. Take proper family concern, mother’s concern, physician’s view etc. then it may be justifiable. We see that sometimes it may be justifiable according to certain situation.

**References:**


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27 Ibid., p. 20.


