

Candidate 5

Is a termination during pregnancy ever morally acceptable?



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Termination is the idea of ending a pregnancy, it is also medically referred to as an abortion. It will result in a baby not being born and it differs from a miscarriage for the idea that it is self-induced, while a miscarriage is typically something that happens naturally.

"I feel the greatest destroyer of peace today is abortion, because it is a direct war, a direct killing – direct murder by the mother herself." – Mother Teresa ¹

Many would be of the opinion that to have an abortion means that you have murdered a child, some believe that it should be a crime and in many places around the world it is. Ireland only recently in December 2018 passed a controversial bill which now allows for abortion to take place in the first 12 weeks of pregnancy, many opposed it for various religious reasons and that it is seen as immoral. However, many across Ireland rejoiced knowing that they have more autonomy in their decision making and can now ensure that they can do what they want with their bodies and don't have them controlled by legislation².

The moral debate of abortion is one that has often turned vicious due to it being such a sensitive topic that many women have emotional experiences with. Looking at this complex issue means that there are many different opinions and thoughts on it, as it is all based on our idea of when we believe life begins, and indeed this dissertation will explore the idea of when life begins, the mother's autonomy and disability, and the value of life. In doing so I will look at the different philosophical, secular and religious viewpoints.

There is an idea in many religions –particularly Christianity- that there is a stage in the pregnancy where the embryo is given a soul from God, and that this is then the moment where life begins. This is because God has given you something special and unique which sets you apart from just being any other mammal on this earth. While many Christians believe that this happens at the moment of conception, the famous Christian Philosopher Aquinas actually argued that this ensoulment actually happened later in the pregnancy saying "the vegetative soul, which comes first, when the embryo lives the life of a plant, is

¹ https://www.catholiceducation.org/en/religion-and-philosophy/social_justice/mother-teresas-nobel-peace-prize-acceptance-speech.html (accessed: Dec 2018)

² <https://www.dazeddigital.com/politics/article/42791/1/anti-choice-abortion-activists-galway-protest-ireland-clinics> (March 2019)

corrupted, and is succeeded by a more perfect soul, which is both nutritive and sensitive, and then the embryo lives an animal life; and when this is corrupted, it is succeeded by the rational soul introduced from without"³. This belief therefore can argue that the forty days before Ensoulment is a period where the embryo is a potential human, rather than a fully actualised human. A consequence of this means that it could be argued that abortion is acceptable during this time period as we aren't necessarily ending a human life, as without our full soul we are not the special. This would clearly be a disadvantage to the Catholic faith as it opposes one of their key fundamental beliefs, therefore leading many Christians to discard Aquinas' view on Ensoulment. However, I believe that doing this creates inconsistency within their argument of whether abortion is ever morally acceptable or not as Aquinas is a Doctor of the Church⁴ meaning that his opinion and interpretation of the religion was extremely influential in other areas such as setting out the Cosmological argument. Therefore meaning that some Christians are picking and choosing when they want to listen to his interpretation of the religion, leading to the argument not being consistent and not one that can fully be used to argue that a termination is completely morally unacceptable.

Consciousness can be defined as 'the state of being awake, thinking, and knowing what is happening around you', as well as being able to feel things, this for many is the point where life begins. The Society for the Protection of Unborn Children (SPUC) argues that around 10 weeks into development is where the initial brain cells are formed and this leads onto the first brain activity being measured here⁵, however whether this is exactly where consciousness is formed is widely debated as some say it is as early as 7 weeks. The belief that consciousness develops so early in the pregnancy leads to the question of do we have the right to end the life of a conscious being who will potentially be able to feel pain as some nerve endings will have developed by then. If consciousness equals the start of human life then surely it would not be morally acceptable to end it as this would equate to the murder of a human being, rather than that of a potential human. However, this is where the issue of using consciousness as a gauge for human life beginning begins, as this suggests

³ <https://www.irishtimes.com/opinion/church-stance-on-abortion-and-soul-of-child-has-varied-over-time-1.554478> (accessed: Feb 2018)

⁴ <https://www.catholiccompany.com/getfed/st-thomas-aquinas-angelic-doctor-of-the-church-5544> (accessed Feb 2018)

⁵ <https://www.spuc.org.uk/abortion/human-development-of-the-unborn-child> (accessed Feb 2018)

that those who are born without consciousness are not human beings. For example, Anencephaly is a defect that results in all or most of the Cerebrum not forming, the part of the brain that allows for thinking, vision, hearing, touch, and movement⁶. Therefore meaning that consciousness would not be possible for babies who have anencephaly, even if they have all the other qualities of human beings it could be argued that they are not fully human if that is based on whether consciousness is present or not. This therefore would mean they are not entitled to the same rights that everyone else is, consequently meaning that abortion could be seen as acceptable in this circumstance not only because of the lack of consciousness but also due to the fact that these babies would do not survive longer than a few days. It may be more virtuous for the mother's mental wellbeing to end the pregnancy, rather than have it continue while still knowing the end is near; showing that in this situation abortion can be argued to be morally acceptable.

Both of these views on when life begins help to shape the fundamental belief that life needs to be protected as it starts so early on in the pregnancy. This would therefore argue that abortion must be never morally acceptable as it would be harming the life of a person who has no way to defend themselves. However, abortion is still legal in many countries around the world as it is believed to be morally acceptable if it is done under the correct circumstances.

Abortion's legal stance in the UK is currently that a termination is legal if it meets the following criteria⁷

1. The abortion is carried out by two registered medical practitioners, and the opinion is formed in 'good faith'

It cannot be carried out after 24 weeks and if the pregnancy was to continue it would cause injury to the women mentally or physically or it will affect the rest of her family

The termination is necessary to prevent grave permanent injury to the mental or physical health of the woman

If pregnancy continued it would risk life of the woman

⁶ <https://www.cdc.gov/ncbddd/birthdefects/anencephaly.html> (accessed Mar 2019)

⁷ www.legislation.gov.uk/ukpga/1967/87/section/1 (accessed Dec 2018)

The child if born would be severely handicapped

This results in the rights and safety of the mother being protected at all costs, as her mental and physical health are put to the forefront compared to the life of the foetus. This is because the mother is a fully formed human being, while the foetus is arguably a potential life as there is still a chance of it not developing that far. This means that the mother should have more control over her body as she should have the autonomy over it as at the end of the day she can do what she likes with it. This is the basic argument of the 'Pro-Choice' movement which is typically seen as the 'feminist argument' due to it putting the mother's right over her own body over the potential life of the embryo/foetus.

Philosopher Judith Jarvis Thomson explored this feminist argument by using the well-known analogy of the famous violinist⁸. The general premise of this is that you wake up one day in a hospital, attached to a famous violinist's circulatory system as you are the only person who can save him from a fatal kidney disease. To unplug you would be to kill him however it is only for nine months. By then he will have recovered from his ailment, and can safely be unplugged from you. There is no obligation to do it as you have not signed up to this, rather it would just be an act of kindness to keep him plugged in rather than something necessary to do. However, what if the doctor suddenly tells you that you will actually have to keep him plugged to you for nine years rather than months, and that since he is a person you have to keep him hooked up to you as that life outweighs the right you have to make choices over your own body. This analogy takes the line of reasoning that a baby should be able to develop as they too have a life of their own and then uses the slippery slope argument to show the flaws within it. It compares the idea of a termination and unplugging the violinist, showing that if it is acceptable to unplug the violinist in the first instance then surely an abortion would be acceptable as this is a fully grown life compared to just a potential life. This argument gives more of a platform for those who have been impregnated by rape as they, similar to the scenario, did not want what happened to her to happen, so is it fair to make her continue with it. Surely as there was no consent in the person being hooked up to the violinist they would have the option to detach themselves guilt-free, then it should be acceptable for those who have been raped to have a

⁸ 'A Defence of Abortion' J.J.Thomson, 1971

termination guilt-free. This helps to give more autonomy to those who have not consented to being impregnated as it puts their rights and happiness over that of the unborn child, I believe that this way of thinking is more virtuous as I don't believe it would be morally acceptable to force someone to continue on with a pregnancy that they were not comfortable with. However, this again is a disadvantage as it puts the feelings of the mother over that of a human life which could be easily argued to be unacceptable as this lessens the rights of the unborn foetus.

The feminist argument as well as the UK law therefore raises the idea that perhaps the foetus doesn't have the same rights as the mother, even if they are both of the same species just at different stages of development. These laws also suggest that children who have disabilities lives are worth less than those without, however, this can be argued this is due to the idea that they will have a 'lesser' quality of life. This attitude around those with disabilities can be extremely hurtful as it essentially says that your life is not worth living just because something like an extra chromosome. It suggests that these individuals would be 'burdens' due to having to perhaps commit extra time and energy into raising these children, I would argue this is harmful as it puts other expecting mothers off of keeping a child that is known to have a disability due to the language used around them is constantly negative.

'A World Without Down's Syndrome?' was a documentary shown on BBC2 in 2016 that explores the ethical issues around pregnancy screenings at 12 weeks, which is where you can decide whether or not you want to screen your baby for chromosomal disorders and disabilities, one of which is Down' Syndrome. It is done through measuring the hormone levels in your blood. In this, Sally Phillips talk about her experience of when she had the screening and found out her child was to be born with Down's syndrome. Describing her experience she said, "The doctor said to us: 'I'm sorry, I'm so sorry.' The nurse on duty cried. I don't think anyone said anything at all positive." She then goes on to say "It wouldn't have been any different if they'd told me my child wasn't going to make it." This experience clearly highlights the fear and negative view upon it, with it almost being seen as a catastrophe to have a child with Down's, they are being seen as lesser humans just because of the extra chromosome they have. I believe another approach the NHS could take would be to provide positive information on the syndrome, rather than just give all the information

on what could go wrong with the potential child, ignoring all the human and personality aspects of these individuals.

This negative view that surrounds Down's is having a clear effect on the decision to keep or terminate a baby; with 9/10 women in the UK terminating their pregnancy if they find out that their child will be born with Down's syndrome⁹. This figure therefore shows that there is a belief that people who have a severe disability don't deserve the same chances to life that 'normal' people do. This is an alarming choice and ties into the fearful idea of the slippery slope argument. This is the idea that if we as a society decide that one trait isn't desirable to have and we get rid of it then in future more and more traits will be eradicated until humans are more or less the same. It calls into question what makes a life more deserving of rights than another and who exactly would get to dictate that belief. If we are all created equal then why is one type of life being valued over another? The consequences of the UK law around abortion can so easily lead to further disaster in future with the potential extinction of an entire group of people as foetus's that are found to be severely disabled can be terminated up until birth in special cases. Therefore encouraging the idea that these lives aren't as valued as others, however, connected to this, we must take into account the health risk it poses to the mother both mentally and physically due to the high likelihood of the child not surviving birth.

The Pro-Life movement is typically based on a religious belief that all life is sacred and therefore it must be protected at all costs in order to respect the product of God's work. In Christianity, their belief is all based on what is in their Holy book which contains God's teachings, the Bible. Within that it states –

So God created mankind in his own image,
in the image of God he created them;
male and female he created them.¹⁰

This means that every human being that has ever been created has been created in his likeness, making us a special species as we are the only ones to have a likeness to God in that respect. This therefore makes many Christian fundamentalists, who take an almost

⁹ <https://www.bbc.co.uk/news/magazine-37500189> (accessed Feb 2019)

¹⁰ Genesis, 1:27, Bible

literal interpretation of the events that happen in the Bible, will believe that we cannot harm any human as it will therefore be disrespecting God. This means that Christians as a whole would typically disagree with abortion however, Christianity is made up of different sub-sections that will each interpret the issue differently based on how they see their faith.

The Roman Catholic Church is strictly against abortion under all circumstances, even if the mother was raped. This is seen in the Declaration on Procured Abortion, in which it states "Abortion is a serious sin. Everyone, whether Catholic or not, should have a proper respect for human life."¹¹ Catholics believe this is because an innocent life should not pay for the sins of others as it isn't fair to punish those who did not do anything wrong. However, this can cause the suffering of the mother who is forced to keep this child that is a constant reminder of the agony and trauma she went through. It also raises the questions of should a child be born into the world where the mother doesn't want it? A Roman Catholic alternative suggestion to abortion is putting the child up for adoption as the child can they go to a more 'deserving' couple who wants the child, unlike the mother. However, with 1,135 children in care as reported in October 2018¹², is there really any need to be adding to this already high number? A weakness of not allowing abortion is that it results in the child feeling unwanted and at risk of not finding a family, this makes me wonder if this process is really worth it when the option to just not bring the child into the world is there. Although, this would give the child at least the chance to have a good life even if they start at a slight disadvantage than most children. This leads me to believe that although adoption is a viable option for some around the world it is not universal for everyone and therefore the alternative option of a termination should be put in place to stop the rising number of children in care.

The Roman Catholic Church's idea that abortion is murder is based their belief that life begins at conception, meaning that they believe that human life begins when the egg and sperm fuse. This means that they will oppose any sort of abortion at any time of the pregnancy, this includes using emergency contraception, also known as the morning-after pill. This pill can be taken up to five days after sex to either delay or prevent ovulation,

¹¹ 'DECLARATION ON PROCURED ABORTION', the Vatican, 1974

¹² <https://www.adoptionuk.org/news/children-awaiting-adoption-outnumber-adopters-by-more-than-2-to-1> (accessed Feb 2018)

therefore stopping the fertilised egg from sticking to the womb¹³. This is where the Catholic faith would deem this as having an abortion as by taking the pill you are knowingly stopping the further development of the fertilised egg which in their eyes is fully human. Therefore meaning that this method of 'contraception' is actually a chemically induced abortion, with the biggest consequence of is actively ending an innocent human life.

However, whether emergency contraception is seen as a method is based upon where you believe that life begins as there are various key moments throughout pregnancy that believe pinpoint where life begins. Examples of this include Ensoulment and consciousness. Each of which have different factors and circumstances which can lead someone to believe that these are when life begins.

If we as a society do accept that if you don't have consciousness then you are not fully a human being then we are in turn saying that a termination of the pregnancy would be okay in these circumstances. Peter Singer, a utilitarian philosopher, supports this idea by comparing how we value the life of human beings (even in the womb) over the life of animals. Human life is seen as sacred due to religion passing down this idea that we were created differently, Singer opposes that by arguing that not all human life is sacred just because we are a certain species as this is 'speciesism'. This is due to him defining personhood in a non-traditional way by including animals in it rather than solely human beings, saying "I know that I am trying to shift it by suggesting that non-human animals could be 'persons' and that some humans might not be 'persons'."¹⁴ He believes that if a non-human animal can display consciousness and the ability to enjoy experiences then they should also be respected in the same way that we respect human life, however this also means that it goes the opposite way with the idea that if human beings cannot display consciousness then their lives are not as valuable. Saying in *Practical Ethics* "Killing them, therefore, cannot be equated with killing normal human beings, or any other self-conscious beings."¹⁵ Many argue that this viewpoint is not virtuous as it is quite oppressive in the belief that a group of people aren't as valuable as others in society, a harmful statement to those who do have disabilities and to the family and friends who surround them, for

¹³ <https://www.webmd.com/sex/birth-control/how-emergency-contraception-works> (accessed Mar 2019)

¹⁴ <https://www.theguardian.com/lifeandstyle/1999/nov/06/weekend.kevintoolis> (accessed Dec 2018)

¹⁵ *Practical Ethics*, page 182, P. Singer, 1993

example, Sally Phillips getting upset over people saying that they would terminate babies with Down's Syndrome. His belief in the idea that some lives are worth less than others does suggest he would believe that termination during pregnancy is morally acceptable under the circumstances of severe disabilities as in his eyes they would not be able to live out as full or as happy of a life as others and their lives will ultimately lead intrinsic suffering. Although this view is incredibly controversial due to it not being seen as virtuous, I understand that he is just promoting the idea of abortion being morally acceptable through showing that not all lives should necessarily have the intrinsic value we bestow upon them just because they are members of a certain species.

The Universal Declaration of Human rights determines what rights all members of the human family are entitled to no matter what circumstances e.g. if they have took the life of another. It was established in 1948 in order to ensure the protection of humans all around the world, and to breach these will result in prosecution via the International Criminal Court. Under international human rights law, everyone has a right to life, health, to be free from violence, discrimination, and torture or cruel, degrading and inhumane treatment.¹⁶ However, many of those who oppose abortion argue that if a foetus is part of the human species, which it would be as it is the genetic produce of another human, then it also is entitled to the same rights that the mother has. How are we meant to claim that we are following these regulations if we allowing for the 'murder' of innocent human beings and disregarding them as a life form? This can lead to the idea that if we are not careful with how we decide who is entitled to human rights then it can lead to disastrous consequences which will obviously connect to deciding whether a termination during pregnancy is ever morally acceptable.

Infamous American pro-life group, 'Survivors of the Abortion Holocaust', compares the tragic murder of over 6 million Jewish people at the hands of Nazis to terminating the life of a foetus. They believe that we should all be thinking of ourselves as "survivors of the abortion holocaust as one third of your generation has been killed by abortion."¹⁷ They believe that the high figures of abortion should be compared to a genocide due to the high number of deaths that have occurred through each of the acts and that both of the acts

¹⁶ <http://www.un.org/en/universal-declaration-human-rights/> (accessed Dec 2018)

¹⁷ <http://www.survivors.la/who-are-the-survivors/> (Accessed Jan 2019)

were premeditated and calculated. This leads to the group completely glossing over the emotional aspect of deciding to have an abortion and the turmoil that comes along with it as many decide to have an abortion as it is their only practical option as other suggestions like adoption may not be available to them at the time. This pro-life group also doesn't take in to account the medical aspect surrounding the choice to have an abortion as they don't address the circumstances where abortion is necessary in order to save the mother's life, therefore potentially valuing the life of the unborn foetus over the life of the mother. This has the strength of protecting the foetus however has the drawback of also diminishing the feelings of the mother who will have to carry this foetus for months. This leads me to believe that this should be accounted for when deciding if termination during pregnancy is ever morally acceptable as I think it would be inhumane to completely disregard the important emotional aspect of a termination.

Overall, through the course of my dissertation, I have come to the conclusion that terminations during pregnancy can be argued to be morally acceptable. While there may be debate over when exactly life begins, I believe that we can value the life of the mother over the life over this unborn child as they are fully formed and we know for certain that they are a life rather than just a potential. As well as this, I think that the option for a termination should always be open to the public as we have the right to privacy and have autonomy over our bodies, no one should be able to control that. Although I see the issues with terminating a foetus over the likelihood of a disability, it is unfair to force parents who could not cope with the extra hardships that come along with raising a disabled child into becoming full time carers. This leads me to believe that it is wrong to criminalise abortion as having at least the option for it will ensure the safety of expecting mothers who don't plan on keeping the child, and at the end of the day if we are so focused on protecting the life of the unborn, surely that concern should also be applicable for the mother. We as a society need to keep a balance between protecting the rights of those who cannot defend themselves and also keep in mind that the mother's safety is key as it would be tragic to lose a life due to insufficient healthcare because of a country's stance on the issue. We need to respect those who take their religious views onto the issue however, take into account that our human rights come first in looking at whether an issue is ever morally acceptable or not. Therefore, I believe that if we weigh up all the strengths and drawbacks

of abortion, then it can be concluded that termination during pregnancy can be morally acceptable.

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