

## DEBATE ON ABORTION: A FEMINIST ARGUMENT

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### **ABSTRACT**

*Abortion is one of the most controversial issues discussed in the contemporary engagement in applied or medical ethics though legally it is not permitted. This issue is also closely linked with human rights issue because human beings have a right to life. It is also connected with the debate over the identification of fetus with human beings. One thing very clear is that it is morally or legally wrong to eliminate one's life or to disturb the situation that will become a living organism. The right to exist whether living or non-living is also another fundamental moral issue. No one has the right to violate the right of others. The violation of one's right whether legitimate or illegitimate within a social structure or a state system is legally as well as morally wrong. The present paper attempts to make an understanding of the issue of abortion from the perspectives of moral ground vis a vis the violation of human rights. The term abortion is usually connected with a human act that disturbed a biological natural process. It is called a premature termination of pregnancy. In the medical moral community, they used the word evacuation, instead of abortion, which is value neutral. Some philosophers define the word abortion as termination of unborn life. This view is subject to criticism from the standpoint of debate on the beginning of life. The termination of life or the disturbance of the biological process can be occurred in two ways. One is spontaneous and another induced. The former is seen when there is malfunctioning of the natural process take an example of miscarriage and the later has happened when some external agent disturbs the process with certain objectives. The moral issue involves in the act of any way of terminating the life considering the motives behind the act and also determining the motives of the actors become a moral dilemma.*

**KEYWORDS:** *Identification of Fetus with Human Beings, Termination of Unborn Life, Malfunctioning of the Natural Process*

### **INTRODUCTION**

The ethical issue related with this is whether abortion is ethically permissible or not; an act of abortion is ethically right or wrong; is abortion tantamount to act of killing; and are we allow to exercising one's right by violating somebody right. To resolve this ethical problem we have seen two different arguments representing their own camps. One group is represented by anti-abortionist and the other group represented by pro-choicers.

The anti-abortionists advanced their arguments on ethical consideration of saving the life, so as not to encourage the act of abortion. Anti-abortionists like, Daniel Callahan, R. M. Hare, and Joel Feinberg established their position against abortion based on the ethical attitude towards the future life of the potential fetus. Daniel Callahan says:

“Abortion is an act of killing, the violent, direct destruction of potential human life, already in the process of development. It is the destruction of an important and valuable form of life. Its value and its potentiality are not dependent upon the attitude of the woman toward it; it grows by its own biological dynamism and has a genetic and morphological potential distinct from that of the woman.” (Daniel Callahan, 1987:26)

John Noonan also supports the above position of anti-abortion standpoint. He says that the fundamental question in the long history of abortion is, How do you determine the humanity of a being? (John Noonan, 1967:125) His argument on anti-abortion is based on the Roman Catholic Church. He writes:

“It is wrong to kill humans, however poor, weak, defenseless, and lacking in opportunity to develop their potential they may be. It is therefore morally wrong to kill Biafrans. Similarly, it is morally wrong to kill an embryo.” (Noonan, 1968:134)

The above anti-abortionist arguments based on the morality of saving one’s life considering the fetus also has the same right as an adult human being. It is a similar act of killing. Thus, it should be not only morally impermissible but also legally restricted. On the other side some philosophers have raised their voices against the anti-abortionist arguments. They think that the moral status of abortion can be resolved by rational means. Mary Anne Warren tries to rationalize the act of abortion considering the social, political and economic factors of the individual who is involved in the case. Warren criticizes Noonan for his failure to show that whatever is genetically human is also morally human. So the fetuses are not deserved to ascribe the rights to life. She attempts to refute the standard anti-abortion arguments that fetuses are human beings and they have the right to life equal to that of any other adult human being. She writes:

“Advocates of a right to choose abortion point to the terrible consequences of prohibiting it, especially while contraception is still unreliable, and is financially beyond the reach of much of the world’s population. Hundreds of thousands of women die each year from illegal abortion, and many more suffer from complications that may leave them injured or infertile. Women who are poor, underage, disable, or otherwise vulnerable, suffer most from the absence of safe and legal abortion.” (Mary Anne Warren, 2009:187)

Another pro-abortionist thinker Judith Jarvis Thomson also puts that abortion is permissible in a variety of cases in which the mother’s life is not threatened. Her argument is based on the loopholes of the anti-abortionist argument. She criticizes the argument on the becoming of a human being from the conception through birth into childhood is a continuous process. The conclusion drawn from the potentiality of life in the fetus to the actuality of life having a right to safeguard and exist without any external interference is not has a strong logical foundation. She maintains that similar things might be said about the development of an acorn into an oak tree, and it does not follow that acorns are an oak tree, or that we had better say they are. Arguments of this form are called “slippery slope arguments”. (Warren, 2009:167)

Considering the above debate over the moral justification of the human act like abortion, I further joined the debate from the perspectives of feminist standpoint.

### **Argument from the Rights of Woman**

Pro-abortionists have developed a theory based on gender discrimination that supports the feminist argument on the abortion issue. They considered women should be in the center stage to understand the problems related to them. Women are independent human beings as their counterparts as well as rational enough to take their own decision. The feminist standpoint against any law, which is male-bias and restricts the rights of women, should be condemned. The case of abortion relating to an unwanted pregnancy to a woman may not be considered as immoral act as if they are incapable of exercising their choice. Women are not a property of their counterpart. The control of their bodies did not belong to someone else whether it may be state or social institutions.

A woman is a conscious human being having own freedom of choice. It is ethically or legally wrong to consider woman as a machine, which has to be produced, a baby because she is the master of her body and independent human agent. It should not be forced against her will to serve as soil for the nurture of an unwanted seed. It is her own choice to conceive a baby or use her body particularly her womb as a place of the fetus to become a baby with consent. She has the right to condemn. A woman who has become pregnant because of rape has been plugged into a fetus against her will and the fetus has no right to use her body without her consent. Even if the fetus has a right to life, the woman has a right either to unplug herself from it by having an abortion or protect the life of a future human being. The mother's right to her body outweighs the right to life of the fetus.

Conservatives who oppose abortion should develop tolerance and impose restrictions upon themselves from interfering with the private decisions and rights of woman. If any anti-abortionist believes that abortion is murder, or that human fetus is human beings, then the burden of proof would rest on him to show that abortion is an unjustified act.

Here are some of the women's rights arguments in favor of abortion:

- women have a moral right to decide what to do with their bodies
- the right to abortion is vital for gender equality
- the right to abortion is vital for individual women to achieve their full potential
- banning abortion puts women at risk by forcing them to use illegal abortionists
- the right to abortion should be part of a portfolio of pregnancy rights that enables women to make a truly free choice whether to end a pregnancy

Besides this, feminists have put up many more arguments against abortion such as:

### **Abortion is Anti-Feminism**

The main theme centers around the pro-life feminist literature are that abortion is contrary to the basic goals of feminism, where they are attempting to overcome any sort gender bias and oppressive social, religious, philosophical or moral power structure. Their arguments are founded on the critique of man-centric morality. For just woman has often been regarded as an aspect of men's private property, so abortion requires women to treat the fetus as a non-person an aspect of their bodily property to be valued or kept or devalued and discarded as they see fit. Criticizing male aggression and destruction on

women's right, feminists attempt to find out an alternative worldview, which is free from male domination and chauvinism. This feminist's new paradigm could resolve the conflicts while respecting human potentiality. It is a chilling inconsistency to see pro-choice feminists demanding access to abortion. It is a betrayal of feminism, which has built the struggle for justice on the bedrock of women's empathy.

Callahan also argues the idea that abortion empowers women is illusory. In reality, abortion is nothing short of an admission by women that they are too weak to cope with being pregnant. Young women are hardly going to develop the self-esteem, self-discipline, and self-confidence necessary to confront a male-dominated society through abortion.

### **Abortion Negates the Communal and Relational Dimension of Life**

Abortion is something which enables women to take back their body and along with this control of their life. However, although all feminists are interested in women being in control of their lives, pro-life feminists believe this should not be at the expense of recognizing that all life is fundamentally interconnected. Pro-life feminists believe the abortion issue is fundamentally a social matter. For in largely on the reason why women should be allowed to choose to have abortions, pro-choicers are failing to address the question of why women should be forced with the decision about whether to have an abortion or not.

Pro-life feminists also argue that abortion frees the wider community from having any sense of responsibility towards pregnant women, which is unsurprising if society is being led by men and structured according to male-interests and needs.

### **Abortion Reinforces Male Sexual Ethics**

The pro-life feminists, such as Sidney Callahan, believe that having an abortion address the consequences of a sexual encounter is simply reinforcing a male sexual ethic. She also argues that abortion does nothing to make men change the way they view sex nor the way they regard or treat women nor even does it lead them to want to become more responsible for the women they do impregnate.

Furthermore, in order to challenge the dominant male sexual ethic in patriarchal society women simply need to stop going down moral and medical pathways, which affirm this as in the end this, makes them more like men than anything else.

Abortion in some pro-life feminist literature has been compared to a Procrustean bed. In ancient Greek mythology, Procrustes had an iron bed, which he forced people to lie down on when he found they were too long for the bed, he would cut off their limbs and if too short he would stretch them out on a rack to make them fit.

### **Abortion Leads to the De-Personalization and Oppression of Women**

Pro-life advocates often talk about the immediate physical and psychological harm, but some believe the act lead to even more damaging consequences than this. In her essay Procreation, Laura Shanner speculates on what could the logical outcome of the reproductive decisions women are making today. The increasing management of a women's pregnancy may

also lead her baby to be treated more as a product than a person and her role reduced to that of the producer.

Shanner also believes that when women have abortions in the name of freedom of choice that they may actually find the decisions they make about their pregnancy, their body and the fetus they are carrying in the future to be greatly reduced. The bottom line in this the more doctors are allowed and able to control and be involved with the reproductive process, the more women will become alienated from it. According to Shanner, "We risk putting fertile against infertile women with social or economic advantages against disadvantaged women and women who value motherhood against those who reject it".

All this may result in women being further oppressed rather than liberated something, which might not have happened, where abortion on demand to become less available.

## CONCLUSIONS

We know that fetuses are neither persons nor members of the moral community. There is no adequate basis for our claim that it has a full and equal right to life as other adult human beings. Abortion can be or cannot be if it is demanded by the circumstances without full consent of the person who involved directly in the issue. It will be encroaching one's rights or violation of one's rights if someone is compelled to do or not do the act. Even the pregnancy caused by the rape or any condition may not be permitted if the woman ready to accept the responsibility of the consequences. If we consider the fetus has the right to life it is extended right of the mother. To safeguard the rights of the mother is tantamount to safeguard the rights of the fetus. During the pregnancy period, the mother requires sufficient nutrition so that she could meet the bodily demands. In order to respect the right of the fetus it is not possible to compromise the right of the mother.

Unlike fetuses, women are a conscious agent and members of the human moral community. Women are the sole authority of their body. They are persons whereas fetuses are not. As being conscious human women are morally having their rights to life, liberty, and physical integrity. Sometimes, if there is a necessity to protect their rights, they can override whatever right to life it may be appropriate to ascribe to a fetus. There is no moral obligation in case of abortion due to unwanted or medically dangerous pregnancies. Mary Anne Warren rightly commented on the legality of abortion, "Laws that deny women the right to obtain abortions, or that make safe early abortion difficult or impossible for some women to obtain are an unjustified violation of basic moral and constitutional rights".

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