

**Right to Choice and Right to Life:
A Study of Arguments For and Against Abortion**

*Dissertation submitted to Jawaharlal Nehru University
in partial fulfilment of the requirements
for the award of the Degree of*

MASTER OF PHILOSOPHY

AFZAL AHMAD



**CENTRE FOR PHILOSOPHY
SCHOOL OF SOCIAL SCIENCES
JAWAHARLAL NEHRU UNIVERSITY
NEW DELHI- 110067**

**India
2007**



**CENTRE FOR PHILOSOPHY
SCHOOL OF SOCIAL SCIENCES
JAWAHARLAL NEHRU UNIVERSITY
New Delhi - 110067**

30.07.2007

Certificate

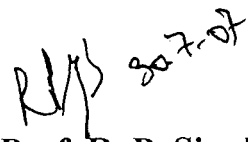
This is to certify that the dissertation titled “Right to Choice and Right to Life: A Study of Arguments For and Against Abortion”, submitted by Afzal Ahmad in partial fulfillment of the requirements for the award of the degree of Master of Philosophy, is to the best of my knowledge an original work and may be placed before the examiners for evaluation.



30/07/2007

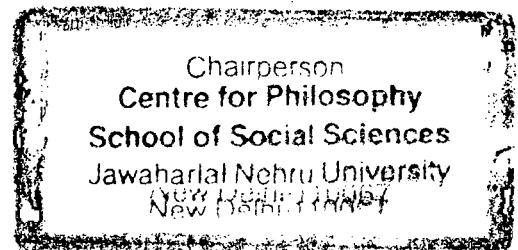
Prof. Satya P. Gautam
(Supervisor)

SUPERVISOR
Centre for Philosophy
School of Social Sciences
Jawaharlal Nehru University
New Delhi-110067



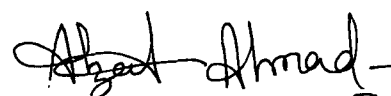
30.7.07

Prof. R. P. Singh
(Chairperson)



Declaration

This dissertation titled “**Right to Choice and Right to Life: A Study of Arguments For and Against Abortion**” submitted by me for the award of the degree of Master of Philosophy is an original work and has not been submitted so far in part or in full, for any other degree or diploma of any Institution and University.



(Afzal Ahmad)

30/07/07

Centre for Philosophy
School of Social Sciences
Jawaharlal Nehru University
New Delhi – 110067
India
July, 2007

Dedicated to my Parents

And

Late Dr. Rizwanulla Shastri ...

Acknowledgements

*I have received help and assistance from many people in writing this dissertation. First of all, I am very much thankful to my supervisor, **Prof. Satya P. Gautam**, who was supportive throughout my research work. Without his guidance and criticism this work would not have been possible.*

*I express my gratitude to **Prof. R.P. Singh, Dr. Bhagat Oinam, and Dr. Manidipa Sen**, for their generous support and help to enable me to complete this work.*

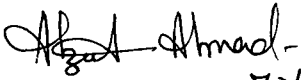
*I express my thank to **Dr. Rajjan Kumar and Ashok Kumar Singh, Dept. of Applied Philosophy, M.J.P. Rohilkhand University, Bareilly, U.P.**, for their constant inspiration.*

I am also thankful to the Staff of Centre for Philosophy and Central library JNU, for their cooperation time to time.

I am very thankful to the Library Staff, Women Studies and Development Centre, Delhi University; Women Studies Programme JNU; Indian Institute of Technology, New Delhi, Indian Council for Philosophical Research, Lucknow.

*I was also supported by my friends who encouraged me to complete this work. They always supported me at every stage. **Santosh Raut, Dilip Kumar Jaiswal, Muktanand Agrawal, Neneo, Shilpi Shrivastava, Alka Saran, Shikha Jha, Anil Kumar, Niraj Kumar Shrivastava, Miraj Husain, and Surjit Kumar Singh**, deserve special mention and thanks for their kind support.*

Above all I am grateful to my dear parents, who always inspired me and helped in every step of my education and life as a whole.


Afzal Ahmad 30/07/07

Contents

Introduction	1-7
Chapter I: Right to Choice: Arguments for Abortion	8-23
I) Reproductive Right as Human Right	
II) Grounds for Abortion: Individual and Social Aspects	
Chapter II: Right to Life : Arguments Against Abortion	24-40
I) Abortion is a Killing of an Innocent Human Being	
II) The Beginning of Human Life	
III) Sanctity of Life: Different Religious Traditions on Abortion	
IV) Secular Views Against Abortion	
Chapter III: Personhood, Fetus and Abortion	41-52
I) Criteria of Personhood	
II) When does Personhood Begin?	
III) Arguments For Treating Fetus as Potential Person	
IV) Arguments Against Treating Fetus as Potential Person	
Chapter IV: Arguments For and Against Abortion: An Appraisal	53-65
I) Right to Choice Arguments	
II) Right to Life Arguments	
Conclusion	66-69
<i>Bibliography</i>	70-78

Introduction

The issue of abortion has been a subject of an intense debate during the last few decades of the twentieth century. Abortion was illegal in almost all the western countries till a few decades ago. The demand for legalization of abortion had started with the spread of the women's rights movements in the European and North-American countries. The supporters of women's rights movements sought legalizing of abortion because illegal abortion had become a major public health issue. The other reasons for seeking legalizing of abortion were linked with the demands for women's right to education, employment, equality and freedom at par with men. It was being argued that forced motherhood was a major obstacle to the fulfillment women's aspiration for freedom and equality. Abortion was seen as a means to enable women to become free to choose whether they wished to pursue a career or lead a family life looking after their children.

The Soviet Union was the first country to legalize abortion on demand in 1920. This legislation was undertaken to promote the "new socialist morality" advocated by a radical Russian feminist Aleksandra Kollontai . Emancipation of women from domestic slavery and their participation in the socialist work force for revolutionary transformation was one of the main goals of the new policy. In the new socialist Soviet Union, questions of women's role and place in society were discussed to criticize the oppressive structures of patriarchy. The purpose of the new Soviet legislation was to free women to take jobs in agriculture, industry, education, hospitals and other public spheres and to serve the cause of socialist revolution. However in 1936, the legislation of 1920 was changed to encourage growth of population in Soviet Union. However in 1955,

abortion again become a legally accepted procedure for termination of pregnancy on demand which was made available free of charge.

In the Western Europe, Switzerland became the first state to permit abortion for maternal health reasons in 1942. Japan passed Eugenic Protection Laws in 1948 that allowed abortion for the purpose of maintaining racial purity. British Abortion Act of 1967 permitted abortion before the time of viability. In India, Medical Termination of Pregnancy Act 1971 allowed abortion for health reasons including the termination of such a pregnancy which is a result of rape, or contraception failure. In a way abortion was permitted on demand for following the policy of Family Planning. The U.S. Supreme Court decision on Roe v. Wade legalized abortion without restrictions in 1973. Though the issue has remained contentious and subject to subsequent alterations through judicial and legislative actions. However, it is worth mentioning that Roe v. Wade judgement inaugurated a new beginning for women's freedom, a major gain in their struggle to achieve equality with men in decision-making about reproductive health and control. This was a vindication of a woman's right to autonomy of her body and control over reproduction necessary for her to be a self-determining adult human being (person).

Presently, there are more than fifty countries which permit abortion on demand and many others where abortion is permitted on specific grounds.¹ It can be said that

¹ Abortion is available on demand

Albania, Australia, Bahrain, Belarus, Belgium, Bosnia, Cambodia, Canada, China, Croatia, Cuba, Denmark, Estonia, Germany, Greece, Hungary, Korea (North), Latvia, Lithuania, Macedonia, Mozambique,

Netherlands, Norway, Slovenia, Sweden, United States, Yugoslavia

Abortion legal, but only in the first trimester of pregnancy

Armenia, Austria, Azerbaijan, Bangladesh, Bulgaria, Cape Verde, Czech Republic, France, Georgia, Guinea Bissau, Guyana, Italy Kazakhstan Kyrgyzstan Moldova Mongolia Romania Russia Slovakia South Africa, Tajikistan Tunisia Turkey Turkmenistan Ukraine Uzbekistan

Abortion legal, but only in the first two trimesters of pregnancy

Singapore

legalization of abortion has not only saved pregnant women's lives from death and injury but also enabled women to participate more actively in the social, economic and political life. Women's liberation movement has focused on some important points for women's rights to provide opportunities for women to participate more fully and actively in the social and economic life. These opportunities include the conditions for access to education, employment, good healthcare, security and an autonomous life based on principles of human dignity and equality. Right to abortion is seen as an affirmation of a woman's freedom to make a choice about the kind of life she prefers to live. Therefore, supporters of abortion are also known as votaries of "Right to Choice".

However, the critics of "Right to Choice" do not see the issue of abortion only as a question of law which can be adopted or amended on the basis of the strength of a social or political movement. The opponents of abortion see the issue from religious and moral perspectives and offer arguments to question the legitimacy of the arguments proposed by votaries of "Right to Choice" in support of abortion. Such groups are known as votaries of "Right to Life."

The main opposition to "Right to Choice" comes from various religious groups whose religious traditions prohibit or restrict women's right to seek abortion. In many religious traditions, women have been denied access to safe contraception and abortion on the ground that all life is a divine creation and human beings should not interfere in the ways of God. The purpose of sex is procreation, and therefore, it must be conducted in the ways approved by the religious authorities. Sex outside marriage is a sinful activity and is totally prohibited. In most of the religious traditions, abortion is a sin as it involves

killing of an innocent life, a sin against the very sacred purpose of marriage for procreation.

The Roman Catholic Church condemns reproductive choice by following St. Augustine who had condemned contraception and killing of the fetus, declaring these acts as sins against marriage. Similarly in Islam, with the rise of Muslim fundamentalism; there has been a great pressure to adopt *sharia* or *Islamic law* putting the force of government behind the authority of religion. Till 1990, there was a little talk of reproductive rights of women or even their work rights in the Arab world.²

Islam opposes abortion. It values unborn human life and forbids its killing. Abortion is a crime and a murder. A fetus is a human being because it has Allah's (Almighty's) spirit in it. Allah Almighty had promised a great punishment for murder including the murder of unborn child. Therefore according to Islam nobody has a right to kill any body and fetus is no exception.

Besides religious traditions and movements taking strong positions against abortion, there are many secular groups who oppose abortion on the ground that it encourages promiscuity, sexual slavery of women and damages family as an institution. These critics of "Right to Choice" maintain that emancipation of women lies in removal of poverty, dismantling of oppressive structures of patriarchy which dehumanize women. Another aspect that deserves attention is the claim of the state to regulate the population growth and family life of its citizen. Many states and the U.N.O. are concerned about the unchecked rapid growth of population which is becoming a serious problem.

² Freedman L. P and Isaacs S.L., H.R. & Reproduction Choice Studies in family planning v.24, no.1, 1993, p.27.

Contraception and abortion are supported as effective measures to check the growth of population by controlling reproduction.

Public opinion is also divided on the ethical issues relating to life and rights of the unborn child. The basic questions are: At what point does human life come into existence? At what point does society deem such life to require legal protection? These questions contain a number of interrelated issues, many of which have been a subject of intense debates.

A consideration of the arguments for and against abortion really shows that most of the arguments are ~~in~~ⁱⁿevitably constructed to support the position which is already taken for granted. The main purpose of the arguments is to defend one's position against one's opponents and to demolish the position of the opponents. The biological facts about the development of the various stages of new life are not adequate to fully answer the question as to when an embryo becomes a person if it is not regarded as a person from the vary moment of conception. It is true that human life can be seen as a continuous cycle that begins with conception and continues to exist until death. But this conception of new life is a result of the unity of an egg and sperms which were existing in the biological system of the two living individuals. Therefore, it is not easy to decide whether the potentiality of human life should be seen to ~~the~~^{be} beginning with the formation of the zygote or seen as a continuity which can be traced back to the vary origin of life in the evolutionary process.

On the basis of the discussion of various issues on abortion available in the literature on the subject, it can be said that the supporters and opponents of abortion are

addressing very many different questions to vindicate their respective agenda. This includes the following concerns:

1. rights and interests of the embryo/fetus.
2. rights and interests of a pregnant woman.
3. protection and healthy development of the embryo/fetus in terms, of the perpetuation of human life.
4. rights and interests of the potential parents.
5. rights and interests of the children already born in the family and
6. rights and interests of the future human generations.

The above issues are seen and articulated from different perspectives by the supporters and opponents of abortion who are now popularly known as “Right to Choice” and “Right to Life” in the next two chapters. The subsequent chapter is devoted to a consideration of the status of the fetus ^{as} a person for the acceptability and rejection of the morality of abortion. The subsequent chapter is an attempt to evaluate the two adverse perspectives. It is suggested that both the right to choice and right to life position can not be defended as absolute position, there are circumstances, context and situation where arguments for abortion make sense. Similarly there are other circumstances, context and situation where the arguments offered by supporters of right to life deserve to be respected.

It would be useful to recognize that human life ‘as a biological category’ and ‘person’ as an ethical and legal category belong to different fields. Of course, we can choose to adopt moral attitude not only towards human life but all forms of life. But that is a manifestation of our moral attitude and moral development instead of any intrinsic

value of a human life or life in general. Our evaluation of the arguments in favor and against abortion is related to our conception of ^{what it} is (to be human, why human should be valued? And when do we fail to become or remain human. As long as we see fellow human beings as valuable and human life worthy of protection and support, we shall continue to face the challenging questions of saving lives sometimes of the living individuals and sometimes of those who are yet to be born. The problem of the morality of abortion can not be resolved once for all. It needs to be considered a fresh according to the context and situation.

Chapter I

Right to Choice: Arguments for Abortion

I. Reproductive Right as a Human Right

The rights to food, clothing, shelter, health, education, gainful employment and personal security have always been considered as basic human rights that affect the lives of all people regardless of their origin, status, age, colour, or creed and regardless of political or civil conditions.¹ Human Rights are necessary to ensure the dignity of every person as a human being irrespective of one's race, religion, nationality, language, sex or any other factor. Human rights include the right to life and liberty, freedom of thought and expression and equal treatment as human being. Human Rights are inherent and inalienable rights which are due to an individual by virtue of his/ her being a human being.²

For Kim, Human Rights represent 'claims and demands essential to the protection of human life and the enhancement of human dignity, and should therefore enjoy full social and political sanctions.'³ World Conference on Human Rights 1993, in its declaration asserts that women's human rights are inalienable, integral and individual part of universal human rights. The programme of action includes specific reference to women rights to health. It recognizes the importance of women's enjoyment of the

¹ Hosken, Fran P. "Toward a Definition of women's Human Rights Human Rights Quarterly, 1981, p.2.

² Yasin, Adilul and Upadhyay, Archana, *Human Rights*, New Delhi: Akash, 2004, p.1.

³ S. Kim, "Global Human Rights and world order in R. Falk, S. Kim and S. Mendloviz, *The United Nations and a just world order*, Colorado. Westview Press, 1991, pp.368-69, Referred from Ibid., p.3.

highest standard of physical and mental health and their equal rights to access family planning services. Family planning services are essential to women's ability to control their fertility which in turn has far reaching effects on the realization of their economic rights and their health including maternal mortality.

The fourth World Conference on Women, included in the declaration "recognition and reaffirmation of the right of all women to control all aspects of their health in particular their own fertility (Paragraph 17) and "equal access" to and "equal treatment" of women and men in education and health care and enhancement of "women's sexual and reproductive health" as well as education (Paragraph 30). It also ensures the full implementation of the human rights of women and of the child girl as an inalienable, integral and indivisible part of all human rights and fundamental freedom. (Declaration -9) woman's right is human right (declaration -14).

Women's health movements around the world have supported the cause of women's reproductive rights as a basic health need and human right. Reproductive rights have been linked to primary health care as a fundamental human right to good health. The right to health is an inclusive right, which contains both freedoms and entitlements. The freedoms include the right to control one's health and body, including sexual and reproductive freedom and the right to be free from interference in one's choice. The concept of 'reproductive right' and 'reproductive health' offer a comprehensive and integrated approach to health-needs related to reproduction. It puts women at the centre of the process of reproduction. It recognizes respects and responds to the needs of women as potential mothers. The concept of reproductive health received great attention in the United Nations International Conference on Population and Development held in

Cairo in 1994. The definition of reproductive health was expanded in the international conference on women, also sponsored by the United Nations, which was held in Beijing in 1995. The definition was as follows:

“Reproductive health is a state of complete physical, mental and social well being and not merely the absence of disease or infirmity, in all matters relating to the reproductive system and to its functions and processes. Reproductive health, therefore, implies that people are able to have a satisfying and safe sex life and that they have the capability to reproduce and the freedom to decide if, when and how often to do so. Implicit in this last condition are the right of men and women to be informed and to have access to safe, effective, affordable and acceptable methods of family planning of their choice, as well as other methods of their choice for regulation of fertility which are not against the law, and the right access to appropriate health-care services that will enable women to go safely through pregnancy and childbirth and provide couples with the best chance of having a healthy infant.”⁴

Claims for right to reproductive health focus on a woman’s right to health and to control her body and fertility. For pro-choice groups, reproductive rights mean the right to access to free and safe contraception and abortion. A woman’s right to choose now has been universally recognized as reproductive rights.

Beijing platform declared that the human rights of women include their right to have control over and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence.

⁴ *UN Department of Public International, Platform for Action and Beijing Declaration, fourth World Conference on Women, Beijing China, 4-15 Sep. 1995, New York: UN, 1995 Para 94. referred from Reproduction Health and Human Right, pp.11-12*
See also, Correa, Sonia. , “From Reproductive health to Sexual Rights: Achievements and Future Challenge” , *Reproductive Health Matterm*, Vol.5.N.10,1997

Free choice of maternity is increasingly recognized as an attribute of private and family life, proponents of abortion argue that individual may propose (choose) whether, when and how often to have children, they should be free from government control, accountability and coercion. Reproductive rights are self determining in matters of reproduction and sexuality, including our freedom to express our sexuality and to be free from violations. In reproduction matters, sexual rights refer generally to woman's control over her access to primary and secondary health care and reproductive technologies.⁵

For Elizabeth Porter, reproductive rights are part of reproductive freedoms that affirm ideals of equality and autonomy. Given women's body, sexuality and reproductive potential, reproductive rights affirm equality as an extension of the principle of bodily integrity and self-determine. Given the social position of women, a defence of autonomy is important. Insofar as women are not only responsible for pregnancy but also usually for the care of children, women must be the ones who ultimately decide on contraception, abortion and childbearing.⁶Linda Gordon says that "Reproductive freedom can't be isolated from other human freedom" that one can't be free to reproduce unless one is free in every other way and vice versa.⁷

i. Bodily Right as an Argument for Abortion

Pro -choice groups argue that women have absolute right over their own body and life. In other words, a complete control over one's body is an integral part of being an individual with rights. The right to bodily integrity means the right to security in and

⁵ Coomaraswamy, Radhika, "Reinventing International Law: Women Rights as Human Rights in the International Community" in Ness, Peter Van, *Debating Human Right*, London: Routledge 1999, p.181.

⁶ Porter, Elizabeth, "Abortion Ethics: Rights and Responsibilities", *Hypatia* v.9 no.3 (Summer 1994).

⁷ Linda Gordon, "Women's Body, Woman's Right (New York: Grossman 1976, p.404 Referred from Elizabeth Moen, Women's Rights and Reproductive Freedom, *Human Right quarterly* v.3, no.2 May 1981.

control over one's body. Bodily integrity includes 'a woman's right not to be alienated from her sexual and reproductive capacity (e.g. through coerced sex or marriage, genital mutilation, denial of access to birth control, sterilization without informed consent etc.).

Considering the natural facts, Petchesky argues that "Pregnancies occur in the women's bodies. The continued possibility of an "unwanted" pregnancy affects women in a very specific sense, not only as potential bearers of fetus, but also in their capacity to enjoy sexuality and to maintain their health."⁸ A woman's body may rightly be used only with the owner's permission. Naturally pregnancies take place within women's bodies and have profound effects on their lives. The right to retain something is the right to exclude other from its use without one's permission. Bodily right means that a woman's body is her own private domain and controlled by her. A woman may use her body for the preservation of her own life or the creation of a new life. A woman's body is her own body and not that of the fetus. Therefore, a woman has the first right over her body. Judith Jarvis Thomson has argued "a fetus only has the right to the use of mother's body if the woman has given it that right, and at least in some cases of pregnancy for example, those that are the result of rape or failed contraception, it is not clear that the woman has given it that right."⁹ Thomson distinguishes just and unjust killing and claims that when the woman has not invited the fetus to use her body, then killing the fetus is not unjust, and therefore not a violation of its rights

The fetus until it is born; it depends on woman's bodily support. Woman during pregnancy provides the fetus with sustenance donating nourishment, creating blood, delivering oxygen, providing hormonal triggers for development without which it could

⁸ Petchesky, Rosalind Pollack, "Reproductive freedom: Beyond "A woman's right to choose", *Signs Journal of Woman in Culture and Society*, vol.5, no.4, 1980, p.666.

⁹ Thomson, Judith Jarvis Defense of abortion.p40

not live.¹⁰ Therefore fetus dependent upon gestational assistance, which is depended on woman's choice or decision for its life, because ending gestation will lead to the death of fetus, at early stage, but that does not mean that ending dependent would violate its right to life. Bodily right is absolute right of woman over her own body.¹¹ Pro-choice votaries argue that woman should neither be forced nor even be urged to go through pregnancy against her will. A woman must be free to decide her future. Therefore, she must have the right to abort the fetus if she feels that she can't or does not want to go through with her pregnancy.

¹⁰ Margaret Olivia Little, *The Moral Permissibility of Abortion*.

¹¹ According to Thomson, "If a human being has any just prior claim to anything at all. He has a just prior claim to his own body. (Thomson, Judith Jarvis. *Defense of abortion*)"

II. Grounds for Abortion: Individual and Social Aspects

In different situations a woman may demand abortion as a legitimate solution to her personal or social difficulties. Some of the social causes for seeking abortion are poverty, housing shortage, ignorance or unavailability of effective contraception.¹² Simone de Beauvoir, author of *The Second Sex*, has stated grounds for abortion which include social conditions and personal needs such as poverty, crowded quarters and the need for women to work outside the home for maintaining a comfortable standard of living for the family.¹³

Another important ground for abortion is psychological in nature but indirectly related to personal and social difficulties that may demand terminating an unwanted pregnancy. Proponents of abortion use “wanted child argument” according to which every child born into the world is a child who is wanted by the mother or the parents. With the availability of contraception and abortion, it can be ensured that only those children will be born who are wanted. This can help people to limit the size of their families so that they have not only a control over the quality of their lives but can also provide proper facilities for the growth and development of their children. In the present day society over-population and economic difficulties impose serious constraints on the parents. They find it almost impossible to children which they can not afford to bring up. Such children become a burden for them. Most of the unwanted children do not get proper care and support from their parents.

There are many conditions that may make parents or potential mothers not to want a child. These conditions may include a pregnant woman being unmarried or a

¹² Callahan, Daniel. *Abortion: Law, Choice and Morality* (London: Macmillan, 1970) p.488.

¹³ Beauvoir, Simone de, *The Second Sex* translated by H.M. Parshley, London: Everyman's Library, 1993, p.512.

married couple already having too many children. A woman's personal goals like a desire to pursue a full-time career may lead her not to want a child. Thus these may be different possible senses of being "unwanted" for a child yet to be born in different social and psychological contexts.¹⁴ Proponents of abortion contend that unwanted children are also socially undesirable. Prof. Hardin has spelled out the social case for abortion on request: "Is it good that a woman who does not want a child should bear one? (An) unwanted child is a social danger. Unwanted children are more likely than others to grow up in psychologically unhealthy homes... In this day of the population explosion, society has no reason to encourage the birth of more children; but it has a tremendous interest in encouraging the birth of more wanted children".¹⁵

The supporters of abortion argue that fetus has no value if it is unwanted. If the fetus is not wanted by mother but wanted by father, the father's wanting is not sufficient to give any value to fetus because a woman has her bodily right to reproductive freedom. A woman should be given the right to decide to terminate her pregnancy if she does not want the child. If a pregnant woman is willing to bear the child and raise her, she is free to do so, but if she does not intend to take responsibility for rearing the child, she should have the freedom to get the fetus aborted. So in the case, where a woman's pregnancy is against her will, an unwanted fetus has no value for her. An Unwanted child may interfere with the happiness of the woman; an unwanted pregnancy should be allowed to be terminated. "A woman's right to protect her health, happiness, freedom, and even her life, by terminating an unwanted pregnancy in the absence of any overwhelming social need for every possible child, the laws which restrict the right to obtain an

¹⁴ Callahan, Daniel: *Abortion: law, Choice and morality*, p.455.

¹⁵ Garrett Hardin, *Abortion and Human Dignity* in the Case for Legalized Abortion Now p.249, Referred from *Ibid.*, p.454.

abortion or limit the period of pregnancy during which an abortion may be performed, are a wholly unjustified violation of a woman's most basic moral and constitutional rights".¹⁶

Some of the arguments in support for abortion are based on the premise that a woman has a right to choose to become a mother or not as she has the freedom to choose to do or not to according to what she decides in her everyday life. A Woman may have good reasons to seek an abortion. These reasons could be medical, psychological, social and economic.

i. Economic Reasons

Pro-choice adherents argue that women have a right to demand abortion when they can not financially afford to go through a pregnancy or raise a child. In conditions of poverty, pregnancy and raising of child seriously affects personal, family and social life. An unwanted child would add to the burden of parents as the family is unable to take proper care of the children already born in the family. They can't take responsibility of nurturing another child because of their social and economic conditions. The financial cost of giving birth and raising one more child can be better spent on raising children who are already living in the family.

Proponents of abortion argue that poverty is not an individual factor. It is a family problem where parents have limited resources for living. If an individual or a family is not in a position to guarantee all of a child's needs, both before and after the birth, it can not be viewed as the protector of that child's right to life. Therefore, the supporter of the right to life for unborn human beings would do better to show their concern for the well

¹⁶ Warren, M.A., *On the Moral and Legal Status of Abortion*, p.512.

being and proper development of already living children instead of raising slogans for the unborn children. In this context, Simone de Beauvoir pointed out that those who are “concerned to defend the rights of the embryo, show no interest in the children once they are born.”¹⁷ The offsprings of a poor mother suffer in every way as they are malnourished, and subject to disease. Human rights of already living children need and deserve greater support and protection than the children who are yet to be born.

The major responsibility of raising a child and protecting the right to life of the child ultimately rests with the biological mother. In condition of poverty, a mother can not raise her child. Therefore pro-choice groups are of the view that abortions must be made affordable and convenient so that every woman (specially the poor) may be able to obtain one without any economic hardship.

ii. Birth Control: Population Control through Small Families

The programme of action of the international conference on population and development 1994 enshrines an almost feminist vision of reproductive right and gender equality. Chapter 7 defines “reproductive rights’ as ‘the basic right of all couples and individuals to decide freely and responsibly the number, spacing and timing of their children and to have the information and means to do so’.”¹⁸ These goals pertaining to number, spacing and timing of children may be achieved through contraception and abortion. An access to safe, effective, affordable and acceptable methods of family planning should be available to every couple to plan their family.

¹⁷ Beauvoir, Simone de. *The Second Sex*, P.510.

¹⁸ Petchesky, Rosalind Pollack, “From Population Control to Reproductive Rights. Feminist Fault lines, *Reproductive Health Matters*, no.6, Nov.1995

With the improvement in health services and availability of new medical technologies, there has been a considerable reduction in infant mortality, deaths during pregnancies and deliveries. The average life-span has also considerably increased. This has resulted in rapid growth of population. Considering limited natural resources and unprecedented rate of population growth there is a need to control population, reduce poverty and to improve the quality of life of all people not only of the present but for future generations as well. After the contraceptive revolution, it has become possible that every pregnancy can be a wanted pregnancy. In the abortion debate, the unwanted pregnancy argument supports the demand for abortion.

A couple may be happy together. They may have planned their future activities in such a manner that they feel that these would be disturbed by the intrusion of a child. In such situations, contraception and abortion are two measures that make it possible for couples to engage in sexual relations without facing the burden of reproductive consequences.¹⁹ Contraception is seen as an effective means for birth control.²⁰ Contraception sometimes does not work effectively. Therefore, failure of contraception is also given as a reason for demanding abortion.

Reproductive health activists also argue "A reproductive health care programme based on a genuine concern for the well-being of women is important and acceptable. One

¹⁹ Devine, Philip. E "Abortion, Contraception, infanticide", *Philosophy*, 58, no.276, Oct. 1983, p.513.

²⁰ Marget Sanger has distinguished between contraception and abortion: "If no children are desired, the meeting of the male sperm and ovum must be prevented. When scientific means are employed to prevent this meeting, one is said to practice birth control. The means used is known as contraception. If however, contraception is not used and the sperm meet the ovum and development begins, any attempt at removing it or stopping its further growth is called abortion." Sanger, Marget, *Women and the new race*, New York: Blue Ribbon Books, 1920, p.124

based on population or demographic principles will be rejected.²¹ Abortion is demanded and supported as a means for birth control. Free choice of maternity is being increasingly recognized as an attribute of planned family life. Couples may propose and choose whether and when to have children to plan their families. Some thinkers further argue that these choices should be free of any governmental interference and control.²² Some groups do not accept any coercion in family planning and population control programme and assume situations where abortion would be used voluntarily taking advantage of the desire of individuals to limit the size of their family.

iii. Self- Defence: To save mother's life from dangerous pregnancy

Votaries of abortion claim that if the existence of fetus threatens the health and the life of the mother, then the mother has the right to seek an abortion. Every human being wants to preserve one's own life. Self-defence is often taken to be a legitimate ground for killing the dangerous life-threatening enemy. The acceptability of this defense depends on the situation in which a person faces threat to her life from which she can save herself only by disarming or killing the offender.²³

The unborn child, concededly morally blameless, may have to be sacrificed to protect the mother's physical or mental health. Jane English believes that killing an innocent person is sometimes permissible, most notably in self defence. She has illustrated her claim with the following example. Suppose a mad scientist, for instance, hypnotizes innocent people to jump out of the bushes and attack innocent passers by with

²¹ Pooley, Bertha, "Personal Communication" 1990 in Lynn P and Isaacs, Stephen L, "Human Rights and Reproductive choice, *Studies in Family Planning* vol.24, no.1 Jan-Feb 1993, p.24.

²² Cook, Rebecca J, *Reproductive Health and Human Rights*, and p.176.

²³ Harsis John the value of life London, Routledge we do not want to be killed and want to erased all fear of being killed. So killing in self defence is allowed.

knives. If you are so attacked, you have a right to kill the attacker in self-defence.²⁴ Similarly abortion is permissible only if it is required to save a woman's life. Women ought to have the right for abortion in self-defence. Killing can be justified if done in self-defence.

Judith Jarvis Thomson argues that to terminate the pregnancy for self-defense can not seriously be regarded as a murder because the mother opts for an abortion to save her life. It can not seriously be said that she must refrain, that she must sit passively and wait for her death. Each life is valuable, but in a critical condition of the mother during pregnancy, we have to sacrifice a particular life i.e. fetus' life so that other i.e. mother's life may be saved.²⁵


iv. Fetal Reason

Pro-choice votaries give another important reason in support for abortion. It concerns the possibility of a defective or abnormal child birth. With the help of advanced medical technology, it has become possible for a pregnant woman and her husband to become aware of the condition of the fetus. Effective pre-natal determination of disabilities through amniocentesis had become available in 1970. Pro-choice people support prenatal testing to prevent the birth of the children with serious genetic disorders or other abnormality resulting in disabilities in later life. The use of pre-natal diagnosis followed by selective termination may sound of eugenic overtones as it advocates the view that only high quality babies may be allowed to be born and that "defective" fetuses

²⁴ English, Jane, "Abortion and the concept of a person, p.768.

²⁵ Glover, Jonathan, "The Sanctity of Life" in *Bioethics*, p.193.

may be eliminated before birth.²⁶ If the parent do not want to give birth to a child with disabilities, and want to abort, they should be allowed to do so. If abortion is not permitted what will be happen to such disabled children? Who will take the responsibility to support these children to enable them to lead a normal life? They will be a burden both on the family and society as well. Thus, pro-choice people demand abortion in such cases to prevent the birth of babies with physical or mental abnormalities.

Diss
363.46
Ah511 Ri

TH14870

v. Rape and Incest

TH-14870

Pro-choice group maintains that rape and incest are the most heinous crimes against womanhood. Victims of rape and incest should be permitted to abort if they become pregnant. It is regarded as a strongest argument for abortion on the ground of psychological damage. Sex with the consent of the partner can be a desired experience but sex without consent is a violation of a woman's bodily integrity and personal dignity. So when a pregnancy is a result of rape, abortion in such a case should be permissible. A woman should not be forced to go through a pregnancy or bear a child which is a result of such unfortunate tragic circumstances. "Pregnancy is the result of an act of aggression upon her by the rapist and its continued presence is an act of aggression against the mother. She has a right to repel that aggression by aborting the fetus."²⁷

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

²⁶ Overall, Christine. *Selective Termination of Pregnancy and Women's Reproductive Autonomy*, The Hasting Center Report, May-June 1990, p.10.

²⁷ Brody, Baruch. *Opposition to Abortion: A Human Right Approach* in Arthur, John ed. *Morality and Moral Controversies*, 1986.



possibly of fear, pain and humiliation. It may also involve a real danger to the victim's physical and mental health and to her prospects of future happiness.²⁸ In Rape and sexual assaults cases, victims face the risk of unwanted pregnancy and sexually transmitted diseases (STDs), including HIV infection. In many societies becoming a victim of rape is a social stigma which a woman has to carry with her.²⁹

In the context 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. The continuation of such a pregnancy would cause serious problems to the woman and her family. To avoid such problems, pro-choice group argues a woman has the right to abort the pregnancy that in such cases. Proponents of abortion argue that woman has no responsibility to continue her pregnancy in the case of rape or incest.

vi. Unmarried Mother

Votaries of abortion maintain that an unmarried pregnant woman has a right to demand abortion because society does not considers her child legitimate. Simone de Beauvoir has highlighted the stigma of the unmarried mother in terms of "the unmarried mother remaining an object of scandal ... the unwed mother remains an offense to public opinion, and her child is a severe handicap for in her life...an illegitimate child is such a social and economic handicap for the unmarried woman that girl may commit suicide when they realize they are pregnant and some girl mothers kill their newborn infants."³⁰ The pregnancy of unmarried women undoubtedly carries some degree of social stigma in

⁸ Harris, John, *The Value of Life*, London: Routledge & Kegan Paul. P.176.

⁹ Cook, Rebecca J., Dickens, B.M. and Fathallah M.F. *Reproductive Health and Human Rights*, Oxford: Clarendon Press, 2003 p.287-288.

³ Beauvoir, Simone de, *The Second Sex*. p.144, 453 and 407.

most communities. Such stigma frequently entails ostracism, loss of employment, interruption of education or other undesirable material consequences.³¹ Since maternity is respectable only for a married woman in most of the society, it would be better to save an unmarried girl from any hardships, and the child (to be born) from stigma of illegitimacy for the entire life, by permitting her to terminate her pregnancy.

³¹ Michaels, Meredith W, "Abortion and the claims of Samaritanism" in Gorfield, J. L. and Hennessey P. *Abortion: Moral and Legal Perspectives*, USA: University of Massachusetts Press, 1984, p.216.

Chapter II

Right to Life: Arguments Against Abortion

Most of us, if not all, think that it is wrong to kill people. While some may accept the justifiability of killing in special circumstances, such as killing in self-defence as punishment and in war, their opponents would argue that the killing is never justifiable.

Human life is the basis of all good and is the necessary source and condition of every human activity. Most people regard human life as something sacred and hold that no one may dispose of it at will. Believers see in life something greater as life is the gift of God Himself. Most of us believe that human life has some very special value and that it is wrong to kill another person. All innocent human life, irrespective of its capacity as superior or inferior, should be valued equally. Therefore innocent life should never intentionally be taken and it must be preserved. The present chapter is devoted to a consideration of arguments against abortion on the ground that it involves killing of human being who could have been but for the abortion.

I. Abortion is a killing of an innocent human being

Any attempt to destroy an innocent human being violates the right to life because every human individual has value. Life is the basic possession of human being. The cutting short of a human life is always a matter of serious concern. Life is valuable for every being. Life is to be preserved rather than destroyed. Pro-life groups argue that fetus should be protected since it is the beginning of a new life. Ashley Montagu has put this view in the following words: "From the moment of conception the organism thus brought into being possesses all the potentialities for humanity in its genes and for that reason must be considered human."¹ "It is wrong to do physical harm to an innocent person. By physical harm means an impingement upon the body which either causes pain or impairs functioning."²

Abortion is morally a matter of taking a human life which is small and weak and wholly depends upon other for protection. During its development, to take its life is intrinsically wrong "what make it wrong ... that is bad about death to happen to him."³ Pro-life groups put their views comparing fetus and just born baby, a fully developed fetus present in the mother's womb is alive and almost have the same qualities which it has after its birth. Many pro-life groups are considered as a taking conservative position, which is most often associated with teachings of Catholic Church and Islam. They hold the view that an embryo or a fetus has more or less the same moral standing as a human being from the very moment of conception. Therefore killing an unborn life during fetal

¹ Montagu, Ashley. The New York Times, March 9, 1967 referred from Ramsey, Paul, Point in deciding about Abortion in Noonan J.N. Morality of Abortion, 1972.

² Charless, Fried. Right and Wrong, Cambridge: Harvard University Press, 1978, p.30, Referred from Right, Good and Democracy, pp.87-88.

³ Moller, Dan. Killing and Dying. American Philosophical quarterly, 43:3 July 2006, p.235.

development is equivalent to killing a human being, it is an immoral criminal act. Therefore, critics of abortion maintain that life must be guarded with the greatest care from the moment of its conception.

Catholic moral theologians however admitted the lawfulness of killing the fetus in special situations on the ground that some killings can be justified to avoid a greater evil. Christian theologians analyzing abortion, declared abortion as homicide, St. Thomas Aquinas was clear that “there was actual homicide when an ensouled embryo was killed”.⁴ S. Thomas Aquinas held the view that “to kill the innocent per accidens, by doing without a lawful and necessary act is against a natural, divine or human law.”⁵ Killing is wrong for person as well as fetus, because it deprives the fetus from a valuable future. Marquis argues that, “Killing inflicts a terrible harm on the victim. When I die I am deprived of all of the value of my future like ‘experiences, activities, projects and enjoyments’ that I would otherwise have had. To kill a standard fetus is seriously wrong because standard fetus does have a highly valuable future, like ours.”⁶

In some cases killing of an unborn human life can be justified to save the life of the mother. For pro-life groups, abortion would be permissible when the mother’s life is at stake. For example, when a doctor removes a fetus from the womb in order to save the life of the mother, she is not intentionally killing the fetus. The doctor has intention to protect the mother from the probable death for which the removal of the fetus is a necessary but quite unwanted consequence of the surgery.⁷ Under two cases, abortion has been justified: one is the case of an ectopic pregnancy in first case; it is lawful to

⁴ Summa Theologies, 2.2.154.11 and 12

⁵ Aquinas. S. Thomas, Summan Theologia, 2.2.76.2.

⁶ Marquis, Don, why Abortion is immoral, pp.49-51, in Bioethics.

⁷ Geddes, “On the Intrinsic Wrongness of Killing innocent People”. Analysis, V33. N.3, p.94.

remove the tumor which sometimes appears in various organs of the mother as a result of the ovum being outside the uterus. Removal of the tumor indirectly permits abortion. In the case an ectopic pregnancy in the fallopian tube became pathological; an operation to remove the tube will be lawful like any other surgery. The fetus was not the direct object of the operation; its indirect killing would be justified whenever a surgery is performed for saving the mother's life. As to the physical act of removal, it had the good effect of removing the pathological tube and the bad effect of killing the fetus. Here the intention of the physician was directed only to the good end.⁸

⁸ Noonan, J.N., "An Almost Absolute Value in History", p.48.

II. The Beginning of Human Life

The divergent contentions about abortion demand an attention to the metaphysical question: when does a human life begin? The morality or immorality of abortion may depend on the answer to this question. There are various answers to this question. Some thinkers are of the view that a new human life begins at the very moment of conception i.e when the egg and the sperm fertilize. For others, it begins with quickening or viability and still for some others, it begins with the birth of a baby. Thinkers face difficulties in these issues because development of the human being during the pre-natal and post-natal stages is a gradual process.⁹ Before we discuss the different stages from conception to birth where life begins, it is may be useful to take note of the development of the fetus briefly. A compendium of human embryonic development is as follows:

All human life starts from a fertilized egg which begins multiplying as a cell. one cell first becomes two, then four and by the sixth day the egg has implanted itself on the walls of the uterus. Up to 14 days after fertilization, we can't even tell if the embryo is going to become one or more than one individual. At this stage the implanted embryo can split into multiple entities (twins, triplets and so forth). By the end of the fourth week, its tube-shaped heart begins to beat; it shows gill-like arches and a pronounced tail. By the fifth week, gross divisions of the brain formation can be distinguished and also eyes and limb buds appear. By the sixth week, its eyes are still and its reptilian face has connected slits where the mouth and nose will eventually be. By the end of the eighth

⁹ Singer, Peter, Practical Ethics, 1993, p.137.

week, the face resembles a primate's but is still not quite human; some lower brain anatomy is well-developed. By the tenth week, the face has an unmistakable human look and it becomes possible to distinguish between a male and female fetuses. All human organs are present in rudimentary form and inchoate electrical activity is detectable in the embryo's brain cells. Apart from the brain development, the twelfth week can generally be viewed as a matter of growth, rather than the formation of new structures.¹⁰ Between the 12th and 16th weeks "quickening" occurs. This means that the mother feels fetal movements.¹¹ The lungs do not begin to develop until the sixth month; and recognized human brain activity begins intermittently around the middle of the seventh month. The fetal brain, however, begins a period of rapid development between about the nineteenth and thirtieth week. Only at the twenty-second to twenty-fourth week does the fetus' cerebral cortex begin to mature both structurally and functionally. Sometime around the thirty-eight week natural birth occurs.

i. Conception as the beginning of life:

To start with let us assume that conception, i.e. joining of the egg and the sperm, is the point where the new human life begins. This assumption sounds good mainly because it is the time when the egg cell can be now regarded as complete in terms of the presence of all 46 chromosomes for formation of a complete human being as coded in the DNA of the fertilized egg. Pro-life groups use this biological fact for supporting potentiality principle. All the information needed for the development of fetus is already present in the zygote. That is to say that all the human attributes and characteristics

¹⁰ Standard Law Review Rubinfeld, ed. On the legal status of the proposition that "life begins at conception, Feb 1991, 43:599.

¹¹ Noonan, The Morality of Abortion, p.70.

which make a human individual already present is the embryo. Therefore, some thinkers claim that this moment of is the beginning of a new human life deserves protection and support for its proper and complete development. Therefore, abortion is morally wrong once the conception has taken place.

ii. Quickening as the start of life:

Quickening is the time when the mother first feels the fetus movement. In traditional Catholic theology this was accepted as the moment at which the fetus gained its soul. The soul is not inserted until the body had been formed. Augustine explains this point “no soul before the form. So abortion was homicide only when the fetus was formed.”¹² He condemned the killing of a formed fetus. Saint Thomas’ doctrine of mediate animation was influenced by Aristotle’s observation that “in the case of male children, the first movement usually occurs ... about the fortieth day, but if the child be a female ... about the ninetieth day.”¹³ Like Aristotle, Thomas did not attribute humanity to the early fetus. In his words, ‘the soul is in the embryo: the nutritive from the beginning, then the sensitive, lastly the intellectual soul.’¹⁴

By ensoulment argument religious groups forbid abortion after the moment of quickening. The scholars from different traditions prohibit or allow abortion on the basis of ensoulment. Danna Bowen notes that there are two basic opinions: (1) Abortion at any point following conception is murdering a created entity and is thereby forbidden; and (2) the fetus is created at a later stage which follows conception – some say 40 days, some 90 days, some 120 days. Before the creation of the fetus abortion is permitted; once

¹² Noonan. John, *An Almost Absolute value in History*, p.20.

¹³ Engelhard, H.Tristram. *The ontology of abortion*, p.226.

¹⁴ Thomas Aquinas *Summa theologica* 1,q.118,9.2ad 2.

the fetus has been formed, abortion is forbidden. These figures of 40 and 120 days come from an interpretation of the twenty-third Sura (Al-muminun, verse, 12-14). Of the Holy Quran which speaks of how God Created man and which is interpreted as describing the stages of fetal development. We did create man from an essence of clay then placed him a life germ, in a safe enclosure. Then we made the sperm into a leech like clot of congealed blood and the clot a lump of flesh. This we fashioned into bones. Then clothed the bones with flesh, and then produced it as another creation blessed be Allah. The noblest of creations.¹⁵

In a hadith the Prophet states that 40 days are assigned to each stage: the fetus is held as a drop of sperm for 40 days, as a blood clot for another 40 days, and then as an embryo for a final 40 days, at which point the fetus is “created” the points, by extrapolation, at which some jurists consider the soul enters the fetus other hadiths give 40 days as the time of creation.¹⁶

So if abortion occurs after 40 days of pregnancy, at the time of the start of fetal formation, it will be prohibited because after the Ruh (soul) is given to the fetus. Muslim jurists agree that it is forbidden.¹⁷

¹⁵ The Holy Quran, 23: 12-14

¹⁶ The majority of scholars from the Hanafi schools allow abortion before 120 days; they argue that fetus is not ensouled until the 120 days pass. The Hanbali school allows abortion before 40 days. The Shafi school is divided. Some scholars allow abortion until 80 days (as sperm and blood clot); some allow it before 120 days. Others including Muslim theologian and shafi jurists as Ghazali, prohibit it at any time. Bowen, Donna Lee, ‘Abortion, Islam and the 1994 Cairo Population Conference: international Journal of Middle East Studies 29:2, 1997, p.164.

¹⁷ Al-Khilafah, Islamic Verdict on: Cloning, Human organ transplantation, Abortion, Test-tube babies, Life support systems, life and Death. London: Al-Khilafah Publication, 1999, p.30.31.

iii. Viability as the start of life:

Most thinkers regarded that start of human life is the stage of viability. Viability is the stage after which the embryo can be developed outside the womb of the mother provided that it is kept under certain favorable environmental condition. This may sound good but viability is based on a statistical calculation which tells about the likelihood of the survival if the fetus outside the womb.

III. Sanctity of Life: Different religious Traditions on Abortion

Every theological tradition supports the life and often maintains that death is bad. Thus it is very important to contextualize the ethics for the abortion in the sphere of sanctity. According to Christianity, Islam, Judaism, Buddhism, Hinduism and other religions, the morality of abortion is grounded in the precise belief of human life and emphasizes the life of fetus, by rejecting the abortion.

Christophher mentions: It is often claimed that life is sacred because it is gift of God. Life is intrinsically valuable, and therefore we have respect for life. Human life is always to be taken seriously, it is never to be abused or insulted or treated in a manner which is profane.¹⁸

i. Christianity

Roman Catholic Church has taken a very severe stand against abortion, and strongly rejects the idea of abortion at any point of time, if mother's life is safe to give the birth to the child. Abortion is condemned as killing of the child. The offense of abortion was seen as an offense against God, because life is what God has made. Fetus in the womb is God's providence. The offense is expressed as the killing of a potential human, an act which is forbidden by the commandment of God. All life is created by God and belongs to Him. No one has the right to murder another human being. "You shall not murder."¹⁹

The Church since long time in the history has consistently defended the right of the unborn to live. St. Thomas Aquinas strongly condemned using any means of killing

¹⁸ Belshaw, Christopher, Abortion, Value and the sanctity of life, *Bioethics*, vol.11, no.2 1997. p 134

¹⁹ Exodus 20:13.

the fetus. As he says, the use of drugs (for killing unborn human life) is a sin against nature. After ensoulment killing of embryo is actual homicide.²⁰ In the allocation, addressed to the Italic Catholic Society of Midwives on Oct 29, 1951, PiusXII taught:

“The baby in the maternal breast has the right to life immediately from God. Hence there is no man, no human authority, no science, no medical, eugenic, social, economic or moral ‘indication’ which can establish or grant a valid juridical ground for a direct deliberate disposition of an innocent human life... not born is the same degree and for same reason as the mother.²¹ There are many reasons why the Catholic Church defends human progeny. It affirms the dignity of human person, who is creature of God and personally responsible of God.²²

Fetus life must be guarded with the greatest care and the direct abortion is morally wrong, it is a type of killing which can be regarded only as murder. The dignity of each human being, created to the image a likeness of God. One of the key verses to understand in developing a biblical view of the sanctity of human life is Psalm 139.

ii. Islam

Islam considers life as a sacred gift from God Almighty. No one is allowed to take or stop the life of anyone else except by way of justice or according to the Islamic law.

Thus, the Holy Quran says: "Say: Come, I will rehearse what God has really prohibited you from: Join nothing as equal with Him; be good to your parents, kill not

²⁰ Aquinas, St. Thomas. ‘Summa Theologica’ 2.264.8, reply to objection 2

²¹ PiusXII, Address to the Italic Catholic Society of Midwives. 1951, Acta apostolicae sedis. 43:838-39, 1951. referred from Noonan, J.T. ‘The morality of Abortion’, p.45.

²² Ayd, Frank. J. ‘Abortion; The Catholic Viewpoint’, in Sloane R. Bruce ed. Abortion changing views and Practice New York; Grune and Stratton, p.49

your children on a plea of poverty; We provide sustenance for you and for them; approach not shameful deeds, whether open or secret; take not life, which God has made sacred, except by a way of justice and law.²³

This reflects the prohibition of killing of human life at any stage. The God himself is responsible for everything thus for the every life in the world. Taking another's life is the sin, in the eyes of God. "And kill not the life which Allah hath forbidden save with right."²⁴ What should we understand from these two verses? First of all, it is a grave sin to take the life of children for fear of want as was the habit during that period. Neither is it allowed to do so for any other reason unless a great evil is caused by the presence of the fetus that may cause the death of the mother.

As a comprehensive and unique way of life, Islam does not at all agree with those who say that a woman has full control over her body. She is not free to do what she likes with the life of the fetus. Islam considers our bodies as a trust, which we have to preserve and maintain. It also confirms that the fetus is the creation of Almighty God. No one, not even the mother, has the right to get rid of it unless its presence threatens the life of the mother. For in that case, Islam allows abortion within those limits only.²⁵

In pre-Islamic period female infanticide was commonly practice. Before the time of Muhammad (peace be upon him), unwanted female children were often buried alive in Arabia. Islam is opposed to abortion as well as infanticide because The Holy Quran teaches: "Kill not your children for fear of want; it is We who provide sustenance for them as well as for you; for verily killing them is a great sin."²⁶ Thus, Quran in defense

²³ The Holy Qur'an: Chapter 6, Verse 151

²⁴ The Holy Qur'an: Chapter 17, Verse 33.

²⁵ http://www.crescentlife.com/family%20matters/islam_and_abortion.htm

²⁶ The Holy Qur'an: Chapter 17, Verse 31

of the killing of the human promotes the value to the life of the human. Because of this teaching of the Holy Quran the practice of Female infanticide is stopped and consider as the great sin.

In certain conditions only the Islamic theologies justify the abortion. Like, to save the life of the mother. Abortion thus, is not generally permitted within Islam unless it is to save the mother's life.

iii. Judaism

Judaism has a supreme concern for the sanctity of human life. According to the Mishnah , 'Whoever destroys one life is as if he destroyed a whole world, and whoever preserves a life is as if he preserved the whole world.'²⁷ This verse calls for the great passion to save the life as to save the world.

Apart from an overall regard for the sanctity of life, Judaism finds other reasons to ban abortion: killing a fetus destroys something made in God's image; a destruction of part of God's creation, killing a fetus is an unjustifiable act of wounding.²⁸

Killing of the fetus thus is equal to killing of the God's image, and considers equal to destruction of the human values and the humanity.

²⁷ Sanhedrin 4:5

²⁸ http://www.bbc.co.uk/religion/religions/judaism/jewishethics/abortion_1.shtml

iv. Hinduism

Hinduism regards killing of the fetus as the killing of the Creator. Bhruna-Hatya (killing of fetus) is Brahma-Hatya (Killing of Brahma). The soul and the matter which form the fetus are considered by many Hindus to be joined together from conception. Hindus believe that all life is sacred, to be loved and revered, and therefore practice to save the life. All life is sacred because all creatures are manifestations of the Supreme Being as they call Brahma-the creator of the world.

v. Buddhism

Many Buddhists believe abortion to be murder. Buddhists believe that life should not be destroyed at any cost. Traditional Buddhism rejects abortion because it involves the deliberate destroying of a life. Buddhists regard life to start at conception. Buddhism believes in rebirth and teaches that individual human life begins at conception. The new being, bearing the karmic identity of a recently deceased individual, is therefore as entitled to the same moral respect as an adult human being.

Buddhists believe that human beings live in a cycle of birth death and rebirth, they regard the moment of conception as the beginning of the life of an embodied individual. H.H. Dalai Lama has said:

Of course, abortion, from a Buddhist viewpoint, is an act of killing and is negative, generally speaking. But it depends on the circumstances. As Buddhist aspect of the life is highly rational and based on the practicality, they see the facts as they are. Principle of Non- Violence is one of the prior teaching of Buddhism, thus at any cost Buddhist denies even the minute chance of the killing of any creature. It highly promotes

the life of every human being. Still the circumstances cannot be challenged and thus on the basis of situation, we may justify the abortion for the life of the mother. The intention is to save and promote the life as every religion believes. As suggested below: "If the unborn child will be retarded or if the birth will create serious problems for the parent, these are cases where there can be an exception. I think abortion should be approved or disapproved according to each circumstance."²⁹

As we have seen above all religions respects the basic human values at every cost and prohibit the practice of abortion unless it is done to save or promote the life of the others. It is also important to understand that the position each religion takes on abortion is based on their principle of morality and a spiritual understanding of life. Thus religions in thier theological views respect the life of the male/female, and promote the idea of life for all. Therefore the respect for human life is necessary for good of the mankind and abortion or killing can be permitted only for very serious reasons. The taking of fetal life constitutes in principle disrespect for life.³⁰

²⁹ H.H. Dalai Lama, New York Times, Nov.28,1993

³⁰ Callahan, Daniel, Abortion: Law, Choice and Morality.p.431

IV. Secular Views Against Abortion

Many pro-life groups have opposed abortion claiming that it is not necessary and beneficial for women themselves. Pro-life feminist organizations also maintain that abortion can never be a right. In a society where abortion is considered justifiable and right, in reality the pregnant women choose violence over humanity. Moreover the women harm themselves both physically and psychologically. It is psychologically very destructive for a woman to kill her unborn baby. Such a woman has to live with a great deal of guilt. The mother and fetus relationship is both psychological and physical. Severing a relationship where the other person will be only slightly hurt would be preferable to severing one where deep or lasting injury will be inflicted by our action. As Gilligan says, "An ethics of care rests on the premise of non-violence – that no one should be hurt. To avoid hurting others is integral to an ethics of care".³¹ Celia Devine suggests two criteria which are against abortion: (1) It is permissible to cut ties with someone who behaves unjustly and oppressively toward one, but not with someone who is innocent of any wrong against one; (2) We have special obligations to our own offspring and thus should not sever relationship with them.³²

For pro-life groups, a pregnant woman ought to be assigned responsibility for her fetus. In other words, woman should take responsibility for her sexual activity whenever woman engages in a consensual sexual act with any man. Except in the case of rape, sexual intercourse is not an accident, and in these cases the woman is a willing partner – so then, she should be willing to take responsibility for her action if results in a pregnancy. It would be unjust that a woman enjoyed her sexual activities and wants the

³¹ Gilligan, Carol "Moral Orientation and Moral Development" in Kittay and Meyers, (eds.) *Women and Moral Theory* (Minneapolis : University of Minnesota) 1987, p.24, referred from Wolf-Devine, Celia, "Abortion and the feminine Voice" in *Contemporary Moral Problems*.....p.180.

³² Devine, Celia "Abortion and Feminine Voice" p.183.

fetus to be killed. She should not sacrifice an innocent human life because of her carelessness. She should avoid the abortion and bear the child. Men encourage women to abort in order to avoid taking responsibility for their actions. Actually they do not respect women's lives. Supporting abortion on demand is a conspiracy against women in the name of liberation and freedom. Abortion on demand is a facility to reserve the interests of men who want sexual pleasure without responsibilities. If women become pregnant they are forced to seek abortion because they can not carry the responsibility of child in a male dominated world. Abortion is a symptom of deeper social problems and it is often sought because of the men who do not want to bear responsibilities of fatherhood. Many women demand abortion because they feel that they cannot financially afford a pregnancy or raise a child. Pro-life groups argue economic considerations can not be given primacy over the value of human life. Moreover, woman alone should not responsible for raising child. Fetus' father must also accept the financial responsibility for his child. There are agencies in society – welfare, Medicaid and private charitable organizations – that can give financial assistance to pregnant women whether they are married or not. If these provisions become available in society then abortion may be necessary only when a pregnant women's life is in danger.

Most of the abortions are demanded due to unwanted pregnancy. Pro-life groups argue that there is no such thing as an unwanted child. Every child is wanted by someone. There is a difference between an unwanted pregnancy and an unwanted child. Many women with an unwanted pregnancy may very much want children later in their life. Adoption is a viable policy to make every child a wanted child. Adoption gives a secure family life to children who for various reasons cannot live with the family of their birth.

Chapter III

Personhood, Fetus and Abortion

In the last chapter we had considered the views of votaries of 'Right to life' against the supporters of abortion. Many of the critics of abortion had relied on the premise that it is immoral to kill human beings as they are persons. It was claimed that the fetuses are potential persons and, therefore, deserve to be saved from being harmed and destroyed. It can be seen that the concept of 'personhood' becomes relevant to see the comparative merits and weaknesses of positions argued by votaries of 'right to life' against the supporters of 'right to choice'.

In this chapter, we shall consider various views regarding the criterion of personhood and discuss their implications for determining the status of fetus as a person. On the basis of these considerations, an attempt will be made to see whether these discussions are of any use and significance for the debates on the morality and immorality of abortion.

I. Criteria of Personhood

The concept of 'person' is an essentially contested concept as it is used in verities of social, moral and legal contexts in very many different senses to serve context-specific purposes. Therefore, it is an open-textured concept without heaving any definite or fixed boundaries. It may also be relevant here to keep in view that as a biological organism,

being human is a matter of belonging to the species of *Homo sapiens*. But to be or become a person is to be a member of a moral community – a community which has sensitivity towards duties, rights, obligations, values, good and evil. This moral sensitivity is gradually developed among human beings through learning of a moral language and participation in moral practices. It is not difficult to see that being ‘human’ as an instance of a biological category is radically different from being a ‘person’ or being a ‘human’ as belonging to a moral community. For becoming a person, biological survival, that is, continuation of human life may, be necessary but it is never sufficient by itself. Had it been the case, then all living creatures could have been regarded or seen as persons. Similarly, within the legal framework, we treat institutions like universities, schools, firms, association, corporations and government as persons for fixing their responsibilities and rights. But none of these legal persons are living in the sense in which biological organism live. Therefore, we shall make a brief note of some of the conceptions of personhood which are available in philosophical literature. It would be useful to consider the following definitions or criteria of personhood.

According to John Locke, a person is "a thinking intelligent being, that has reason and reflection, and can consider it self as it self, 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"¹

¹ Essay on Human Understanding, Book 2, Chapter 27, Section 9

For Strawson a person is “ a type of entity such the both predicate ascribing states of consciosness and predicates ascribing corporial characteristics...are equally applicable to single type”.²

According to Robert Noggle, “Autonomy and freedom are necessary for an individual to be a person. Only rational being can be subjects to the moral law. Respecting person means respecting a person’s rationality, choices, decisions, ends and goals. We must respect persons because of their rationality”.³

According M. Tooley, “An organism possesses a serious right to life (is a person) only if it possesses the concept of a self as a continuing subject of experiences and other mental states and continuing entity.”⁴Tooley puts one point that an entity can not be person unless it has developed to the point where it is capable of at least some sort of mental life. Peter Singer defines person as ‘rational and self-conscious’.⁵

According Mary Anne Warren, “the concept of a person is a moral concept; once we have admitted that x is a person we have recognized... X’s right to be treated as a member of the moral community”.⁶ She suggests that the following traits are central to the ascription of personhood or humanity to any individual in the moral sense:

1. Consciousness (of objects and events external and/or internal to the being), and in particular the capacity to feel pain;
2. Reasoning (the developed capacity to solve new and relatively complex problems);

² Strawson, P.F.:*Individul*, London:University paperback,1959

³ Robert Noggle, Kantian respect and particular person, *Canadian Journal of Philosophy*, 29: 3, 1999, p.450.

⁴ Tooley, M , *Abortion and Infanticide in Bioethics: An Anthology*

⁵ Singer, Peter, *Practical Ethics.*, Oxford: Oxford University Press,p.151

⁶ Warren, M. A. *On the Moral and Legal Status of Abortion*, p.508

3. Self-motivated activity (activity which is relatively independent of either genetic or direct external control);
4. The capacity to communicate, by what ever means, messages of an indefinite variety of types that is, not just with an indefinite number of possible contents, but on indefinitely many possible topic;
5. The presence of self-concepts, and self-awareness, either individual or racial, or both.”⁷

From the above accounts of personhood, it becomes evident that a capacity for thinking and reasoning, wanting and desiring, having a sense of the self and its continuity, rights and obligations are recognized as central to the development of a human organism as a person. If these criteria are taken into account, many human adults, what to say of infants and children would not meet all these criteria in a satisfactory manner. Yet we show our moral concern towards them and treat them as if they are persons.

Persons do act according to rules and regulations in society as society determines some norms and values for common good. All rational persons attribute values to themselves to exercise their choices, desires and fulfill their goals. Persons are obliged to have values, to exist for values, at least to be capable of pursuing values. All these properties determine that persons are value seeking beings. All these value added desires, choices and aims clearly cannot apply on fetus.

A woman is a rational being and a moral agent. Being rational, capable and 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

⁷ ibid.p.508

things. Martha Nussbaum adopts a principle of each person's capability, based on a principle of each person as an end.⁸ The capability of a person depends on variety of factors including personal characteristics and social arrangements.⁹ Health, security, education are important opportunities for development of capabilities of person. If persons are provided with right educational and material support they will become fully capable of all human functions.¹⁰ Autonomy, capabilities, opportunities and values are subject to worth respect for person. Being persons, women should be free from undue restraints. They should also be free to act in accordance with their desire or exercise certain privileges. Thus woman as a person must have the freedom to choose her actions in order to exercise her moral autonomy. If pro-life groups demand to prohibit abortion right to women arguing that fetus is a person and abortion is a killing, here they advocate unborn life against already born rational human i.e. a woman. It will be a violation of 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.

⁸ Nussbaum, Martha, *Women and Human Development: the Capabilities Approach* New Delhi: Kali for Women, 2000, p.5.

⁹ Sen, A., Nussbaum, M. *The quality of life*.

¹⁰ Nussbaum, M. *Women and Human Development*, p.5.

II. When does personhood begin?

Beginning of personhood is an important issue in personhood controversy and continues to be a subject of debate. What distinguishes fetus at the stage of development during pregnancy at which the fetus is thought to gain moral status. The concept of personhood is different from human being. The proponents of abortion argue that personhood is acquired on the fulfillment of all characteristics of personhood. Fetus does not have personhood properties so they support the ascription of potentiality of personhood after birth. The opponents of abortion assert that a new human life with the potentiality of personhood begins at conception. Therefore fetuses should have all the protection and the rights to life which children have as potential persons. The pro-choice points of view assume that fetuses can not have the same rights as person who has been already born.

III. Arguments for treating fetus as potential person

If fetus is not a person and personhood is not acquired at an early stage not until birth or even later, it would not be seriously wrong to destroy it. So abortion can be easily justified. But philosophers who support potentiality principle argue that fetus is a potential person. Fetuses may not be persons during development but their potentiality to become person, if pregnancies are not terminated and infanticide not performed gives them basic moral rights. So, abortion should be considered seriously wrong as killing of an innocent.

The pro-life groups argue that there is beginning of personhood at the moment of conception which is supported by the potentiality principle. It means the fertilized ovum has potential to become a full fledged human being, a person. It is for the reason that the fetus deserves to be seen as a potential person.

Firstly potentiality principle explores all sufficient condition in embryo and fetus by which it will develop into human being and actual person, because “embryo has an internal genetic code which can in the right environment lead to the development of a human being.”¹¹

The human embryo has within itself all the positive conditions needed to actively develop itself to the point where it will perform mental functions, given only a suitable environment. Pro- life groups while supporting potentiality principle, argue that the information needed for the development of fetus is already presented in the embryo. That is to say the human attributes and characteristics are already present in fetus, which has

¹¹ Singer, Peter & Dawson, Karen: IVF Technology and the Argument from Potential (P. 94)

all the potential and demands proper environmental condition to develop as a person.

Potentiality for consciousness and mental activities is determination of personhood as Koritansky and Peter considers that “The personhood of beings is determined not by the active exercise of consciousness but their capacity for consciousness.”¹²

¹² Koritunsky, Peter: The role of Philosophy in the contemporary abortion Debate in Christian Bioethics 10 page 65 2004

IV. Arguments against treating fetus as potential person

Most of the thinkers who support right to choice are against the argument of potentiality principle. They don't believe that personhood begins at the stage of conception. They propose criteria for determining personhood and its beginning at various stages. For example: Baruch Brody has used brain waves (before birth). Mary Anne Warren decides the beginning of personhood during infancy (after birth). Michael Tooley emphasizes on the concept of self and other mental states for determining personhood and also emphasizes that infant lacks this criteria and incompatible with potential principle.

J.J. Thomson does not argue against potential principle in direct sense but from her example of oak tree, she is against this principle. She says, "Similar things might be said about the development of an acorn into an Oak tree, and it does not follow that acorns are Oak trees, or that we had better say they are . . . A newly implanted clump of cells is no more a person than an acorn is an Oak tree"¹³

Philosophers who criticize the potential principle and its demands consider it as irrelevant for making any decisions whether right or wrong about abortion. Mary Anne Warren has examined the various criteria which fetus does not conform to the definition of person and personhood. On the basis of which she says, "Neither a fetus' resemblance to person, nor potential for becoming a person, provides any basis whatever for the claim that it has any significant right to life."¹⁴

¹³ Thomson, A Defence of Abortion, 1971

¹⁴ Warren, Mary Anne, "On moral and legal status of abortion," 1973

While considering a (human) fetus at a stage before sentience. Richard B. Brandt would argue that this kind of fetus at any rate can not be said to be identical with the conscious entity into which it has the potential to develop, and hence aborting it can not be said to harm or deprive.¹⁵

Tooley raises an important question before establishing the morality of abortion: "At what point in the development of a member of the species *Homo sapiens* do the organism possess the properties that make it a person?"¹⁶ Tooley assumes rights are not only meant for living, actual persons. He denies any right for potential persons. Potentiality supports fetus' right to life after conception but after conception single-cell zygote does not resemble to person. So it is not considerable to think that "A zygote is already conscious of itself and the world, capable of sensation and emotion, able to understand and reason, remember and anticipate, make plans and act, be pleased or frustrated or hurt."¹⁷

Judith Jarvis Thomson states that "Most opposition to abortion relies on the premise that the fetus is a human being, a person, from the moment of conception".¹⁸ During any stage of development a fetus can not be considered to be a full human being.

Clifford Grobstein asserts from a biologist's perspective, personhood can not be achieved at conception, and that is also beyond the ability of biology to determine the

¹⁵ Brandt, Richard B. The morality of abortion referred from Pluhar, Werner S., 'abortion and simple consciousness', *Journal of Philosophy*, p.166.

¹⁶ Tooley, M., *Abortion & Infanticide in Bioethics: An Anthology*, p.23.

¹⁷ Joel Feinberg J. Abortion (1980) refers in R. Larmer: Abortion, Personhood and the potentiality for consciousness 1995 *Journal of Phil*, P. 245

¹⁸ Thomson, J.J., "Defense of abortion" in *Bioethics: An Anthology*, P.36.

point at which it is established. After fertilization, the new genetic entity comes into being and that is, a single cell which is not perceived as person.¹⁹ 'Human' is a biological term derived from the species 'Homo sapiens' and 'personhood' is a social and legal as well as ethical term. Supporters of right to life also assert that personhood begins at conception and accept the genetic view also as Noonan supports "when fetus receives its human genetic code from its parents, it acquires the right to life."²⁰

During fertilization embryo is a human organism with genetic make up characteristics of human and obviously an immature human being, an individual member of the species *Homo sapiens*.

Thomson says "I am inclined to think also that we shall probably have to agree that the fetus has already become a human person well before birth... by the tenth week, for example it already has a face, arms and legs, fingers and toes; it has internal organs and brain activity is detectable."²¹

Above description refers physiological character of fetus during pregnancy. We can not consider human organism because personhood begins after birth. We can not prove fetus as rational agent and social being during pregnancy. The use of personhood as a means for settling problems related to the ethics of abortion, does not easily come to any solution because there is much controversy regarding killing the fetus and to decide whether its a person or not. The criteria for personhood which is totally psychological all mental the properties related to consciousness and this criterion can not be fulfilled by fetus during pregnancy.

¹⁹ Patrica Ponovan, "When does personhood begin" *Family planning perspectives*, 15:1, June-Feb1983,P.4

²⁰ Noonan, John. T, "An Almost Absolute Value in History".

²¹ Thomson, J.J, *Defense of abortion*.P36

As Jane English argued “determining the concept of a person does not suffice to settle the abortion issue.”²² It comes that abortion issue is concerned about the life and killing of fetus and not concerned with the concept of personhood. The concept of person is important yet it seems irrelevant to establish any acceptable criteria for morality of abortion due to its own controversy because it is not possible to provide necessary and sufficient condition for personhood.

²² English Jane. *Abortion and the Concept of a Person*, p.771

Chapter IV

Arguments For and Against Abortion: An Appraisal

I. Right to Choice Arguments

Women's right movements maintain that all women have the moral and legal right to control their own reproductive lives. When a woman takes a decision about abortion, she exercises her moral agency. People, who demand abortion at any point of time during pregnancy, argue that we make sure that any woman who seeks an abortion should be allowed to do so. Feminists agree that it is a women's basic and inalienable right to limit her reproduction.

We have noticed that the argument in support for abortion is based on the premise that as an autonomous person, a woman has the right to choose, to either terminate her pregnancy or to continue it. Being a person, woman has the right to privacy, her bodily integrity. Therefore, a woman should have the sole legal right to decide whether she wishes to take responsibility for continuing her pregnancy or terminate it. This issue is all the more important in the Indian context where many are forced to abort female fetuses against their will. This also shows the limits and weaknesses of legal provisions as there is a strict ban on pre-natal sex determination and abortion of female fetus.

In this chapter, an attempt is being made to evaluate the pro-choice arguments. We shall consider the basic premises of various arguments given by the votaries of 'right to choice':

1. Every human being has right to self-defence. Therefore, every woman has a right to seek abortion if continuation of pregnancy threatens her life.
2. Every woman has a right to decide her pregnancy according to her needs and desires.
3. Every woman has a right to check the abnormalities in the pregnancy, e.g. defective fetus, premature birth of the fetuses, etc.
4. Victims of rape and incest should be allowed to terminate the unwanted pregnancy.
5. By considering the social circumstances, an unmarried mother should be allowed to terminate her pregnancy.
6. Parents have a right to plan and raise the children when they have sufficient recourses.
7. Every woman has a right to decide the number, space and time of her children.
8. Every woman has a right to own her body. Therefore, they are free to terminate pregnancy if they do not want it to continue.

1. **Every human being has right to self-defence.** Therefore, every woman has a right to seek abortion if continuation of pregnancy threatens the health and the life of the mother.

Pro-choice group argues that a woman has the right to seek an abortion in self-defence to avoid any threat to her life by aborting the fetus. If human lives have to be traded off, the life of someone already born, in this case the pregnant woman, should obviously take precedence over the life of an unborn fetus.

As we have already considered that each life is valuable but in a critical condition of the mother during pregnancy, we have to sacrifice potential human life, that is fetus' life, so that the expectant mother's life is saved. We believe that the pregnant woman's life is more valuable than the unborn fetus. Therefore, if at any time a woman needs an abortion to save her life, she should be allowed to abort.

2. **Every woman has a right to decide her pregnancy according to her needs and desires.**

If a woman has an unexpected pregnancy due to contraceptive failure, then she should be allowed to terminate her unwanted pregnancy.

Pro-choice argue on this premise that women should be permitted to undergo abortion when they have no desire or need to become pregnant. Women and men use contraception when they prefer avoiding or negating the reproductive consequences of their sexual intercourse. Contraception is a measure that prevents meeting of the sperm of the male and unfertilized ova (egg) of the female. If by chance a contraception did not

work properly then couples are not responsible for such a failure. In such cases they may wish to terminate such an unexpected pregnancy. Therefore, pro-choice groups demand abortion as a backup device for undoing the consequences of failed contraception.

But this argument imports wrong consequences as abortion may be sought on the ground that contraception has not worked

Many men and women do not like to use contraception as they apprehend that any artificial interference will minimize the quality of experience of sexual intercourse. It is difficult to determine whether the pregnancies are actually a result of contraception failure or not. Therefore, this argument actually supports abortion on demand without any reason. This argument also assumes that motherhood, parenting and bringing up of children are better left to the care and decisions of women. Many feminists may not notice that such a position will further complicate the issues of women and may not bring any relief from oppression that they suffer in the patriarchal male dominated societies at present.

3. Every woman has a right to check the abnormalities in the pregnancy, e.g. defective fetus, premature birth of the fetuses, etc.

If there is any possibility of a defective or abnormal child birth, we should abort that fetus during pregnancy.

Votaries of pro-choice argue that, it is now possible for at present, couple to know the condition of the fetus with the help of advance medical technology. After prenatal testing, if a genetic syndrome or condition is diagnosed, we can prevent the birth of an abnormal child through abortion. If abortion is not allowed, an abnormal child will

not only be a burden on family and society but the child with disability will experience serious difficulties in leading a normal life. With the availability of abortion, such unfortunate situations can be avoided.. It could be argued that, if the fetus has some serious defects which may threaten the chance of its survival after birth, then abortion may be allowed. But if the defect is not so severe then it would be a misuse of the availability of abortion.. These days in society there are a lot of facilities for disable children and they can be treated to lead a normal life. Hence they should not be seen as a burden but requiring special attention to grow as self-sufficient and competent people. Person born with disabilities are finding that with advances in the availability of assistive technology, accessible environments, and appropriate social services, these widespread negative assumptions are not necessarily true. For many persons who were born with variety of disabilities, their own experience of the quality of their lives is positive. Persons with various disabilities now attend regular schools, colleges and universities where they receive advanced degrees, find challenging jobs, get married and live fairly normal lives. Thus, demand for abortion to prevent the birth of babies with physical or mental abnormalities is problematic. Perhaps decisions need to be taken in each case with great care our present misgivings need to be removed.

4. Victims of rape and incest should be allowed to terminate the unwanted pregnancy.

Pro-choice groups argue that rape and incest are serious crimes committed against woman. In these circumstances women should not be forced to suffer an unwanted pregnancy. In case of rape and incest women do not want to continue their

pregnancy not only because family and society are not ready to accept the child but also because it may perpetuate the memories of their traumatic experience.

In such cases to continuing the pregnancy would be double risk as their whole life may become difficult and they may not take proper care of such an unwanted child. Pro-choice demand for abortion, for victims of rape and incest seems reasonable.

5. By considering the social circumstances, unmarried mother should be allowed to terminate pregnancy.

The plea that if an unmarried woman becomes pregnant then she should be allowed to terminate her pregnancy based upon the same ground that families and societies are not yet ready to accept such children. Votaries of pro-choice defend abortion for unmarried women on the ground that society does not consider such a child as a legitimate child. The pregnancy of an unmarried woman considered as a social stigma for the woman and her family, which entails. In the present circumstances if an unmarried woman wants to terminate her pregnancy, she should be allowed as she is not likely to be in a position to raise an unwanted child. She might face problems such as interruption of education, loss of employment and so on if she does not abort the fetus. However this plea of pro-choice groups has weakness. Firstly, whenever a woman engages in sexual intercourse (whether contraception are used or not), she must realize that pregnancy may ensue. After becoming pregnant, a woman can not justify the sacrifice of an innocent human life simply because of their carelessness. In such cases, men and women ought to live with the consequences of their actions. In the case of unmarried woman she is responsible and at the same time the man is not immune from

his responsibility. But, in the present society, it is a fact that men are not blamed and such women have to own their mistake. They also become objects of scandal and ridicule. If society manages such cases in the manner that the man is also held responsible who makes an unmarried woman pregnant. We may need to search some middle ground such that women's dignity and the life of unborn fetus could be saved. In the absence of such conditions, it will be better to terminate pregnancy. If we allow abortion to unmarried women, then it will encourage men to use women as mere objects of their sexual pleasure and sex-toys. This will degrade and dehumanize women.

6. Parents have right to plan raise and children when they have sufficient resources.

If a woman can not financially afford to go through a pregnancy or raise the child, then she should be allowed to terminate her pregnancy. Pro-choice groups argue that to continue pregnancy and raising child will affect personal, family and social life in poverty situation. A poor mother and her child in poverty may have to suffer in every way as they will not be well nourished, and face serious health problems. In conditions of acute poverty, parents can not provide good future for their children. They have to work as laborers during working hours and their infant children are left to live alone and they are not cared for. In poverty condition, availability of abortion opens a new option for women who are not in position to raise a child.

But to conclude that poverty is a sufficient condition to permit abortion may not be in the interest of poor women and society. It may be more appropriate to provide financial assistance to continue pregnancy and for raising children to poor couples.

7. Every woman has a right to decide the number, space and time of her children.

The above claim is based on the premise that as an autonomous person, a woman has the right to choose and plan her life. Motherhood is a very responsible choice. Therefore, no woman should be forced to become a mother against her will. With the availability of contraceptions and abortion, it has become possible for women to decide to when they would like to become mothers. But this argument ignores the fact that such decisions need to be taken in consultation with the father of the children. If the society is ready to accept single parenthood as a normal practice, only then such a right may be practical. A clear analysis of this argument further shows that it is an alternative formulation of an earlier argument that every woman has a right to decide her pregnancy according to her needs and desires. For this right to become practical in everyday life, very many assumptions about man-woman relationship, motherhood and parenting, upbringing of children need to be re-examined and questioned. It does not seem that any society is ready for such a radical step at present.

8. Every woman has the right to own her own body. Therefore, they are free to terminate pregnancy if they do not want it to continue.

A woman has the right to decide what she can and can't do with her body. The fetus exists inside a woman's body. A woman has the right to decide whether the fetus remains in her body or not. Therefore a pregnant woman has the right to abort the fetus. It is true that a fetus is totally dependent on woman's bodily support. If a woman withdraws her bodily support, the fetus will not survive. But a fetus has no right to the

use the mother's body unless the woman gives it that right. If she decides not to grant such a right to the fetus, she is free to go in for an abortion.

The first objection to this argument is that the idea that a fetus is 'part' of a woman's body is not the same sort of thing as a leg or a liver being part of her body. A fetus it is not just a part of a woman's body, but a potential human being with its own right to life. The second objection is that people do not have the absolute right to control their bodies. People are subject to various restrictions on what they can do with their bodies - and some of these restrictions (laws against suicide or euthanasia) are just as invasive.

If it is claimed that a woman's body is her property and she can demand an abortion because a fetus is an intrusion in her body, than it may be argued that pregnancy is a natural process for which she herself is responsible. But how can she demand an abortion merely on the basis of bodily right for protection from others.

II. Right to Life Arguments

Pro-life groups including those who believe in religious view conclude that abortion is morally wrong. They respect life and demand that potential human life deserves to be protected. They argue that an embryo or a fetus is a human being from the moment of conception and we should respect. Therefore we should save it from an intentional destruction.

‘Right to life arguments’ are listed below:

1. Life is a sacred gift from God. No human being has any right to destroy life.
2. A fetus is a potential human being. Killing potential human beings is wrong.
3. Increasing tolerance of killing is wrong.
4. Abortion is not necessary for women’s freedom.
5. Abortion only promotes the dominance of men over women.

1. Life is a sacred gift from God. No human being has any right to destroy life.

Pro-life groups especially those who follow and argue on the basis of their religious beliefs, (e.g., Roman Catholic Church, Islam, and Judaism, etc.) emphasize on the sacredness of life and forbid abortion and infanticide because they regarded them as acts of great sin. We have every right to hold and practice our religious beliefs. However, we should not forget that lives which could be saved or improved as a result of abortion are also creation of God. If some killings can be justified through religious sanctions, then there is no self-contradiction in permitting abortions for saving and improving human lives.

2. Killing potential person is wrong.

Pro-life groups argue that abortion is wrong because it involves destruction of potential human life. The fetus develops as a potential human being from the very moment of conception. If things go well with it and circumstances are suitable, is potential person will become an actual person. Therefore abortion is always wrong.

It is true that killing is wrong but there are situations which we have good reason to kill. In such circumstances killing is justified and not regarded as wrong. It is not always wrong to end the life of an innocent person when saving some other life may involve its death. There are many cases where we have to choose which of two innocent people will live and which will die. For example: in the case of conjoined twins, where the operation to separate them may cause one of the twins to die. An abortion may also be necessary to save a pregnant woman's life.

Pro-life groups argue that the fetus has the right to life because it is a 'potential human being'. The 'potential human being' argument gives the right to life to the unborn from the very earliest stage of development, the moment when the egg is fertilized.

There is no doubt that a fertilized egg is a potential human being in the sense that if the pregnancy runs its full course, it will be born as a human baby which will become a full fledged human being. The question is when a potential human being acquires the right to life. A collection of human cells does not have a right to live simply because it is a collection of human cells. It acquires the right to live by virtue of certain facts. The initial and most crucial fact is that the mother should be willing to see

it and treat it as a potential person and take responsibility for its growth as an actual person. It is a mother's moral acceptance and sensitivity which transforms a biological organism into a potential person.

As a general rule we don't think that potential properties are the same as actual properties, or that potential rights are the same as actual rights. Children are potential adults, but that doesn't give them the same rights or obligations as adults. So, for example, a 10 year old is a potential voter, and it has the potential right to vote, but it doesn't get the actual right to vote until it reaches the stipulated year, say 18 year as India, to become eligible to vote. Therefore, potentiality argument is a very weak argument against abortion. Pro-life groups also argue that abortion is wrong because it deprive the fetus of a valuable future. In most cases of the fetus, if not aborted, would have a future like us. Therefore, abortion is morally wrong as it kills the fetus.

But this argument has a problem. If it is accepted as correct, then every sperm and ovum if allowed to join, have a future like us. In such case, contraception would be as wrong as murder. Obviously such a conclusion is absurd.

3. Increasing tolerance of killing is wrong.

Pro-life group oppose legalization of abortion on the ground that it will reduce people's respect for life. Human life is intrinsically valuable and therefore we must encourage life. Reducing respect for life is promoting evil in society. This argument suggests that abortion can be acceptable only in those rare circumstances which is undertaken to save a life.

4. Abortion is not necessary for women's freedom

Pro-life groups argue that the right of abortion does not liberate women, but only allows society to continue to neglect women's needs. What women need for achieving equality and autonomy is not free access to abortion but to be provided with what they need to survive financially and socially as women. They need proper education, healthcare and employment. As mothers, they need inexpensive, readily available childcare, a workplace or school that acknowledges the needs of mothers, e.g. providing flexible scheduling and maternity leave, state support that helps to reintegrate a woman after maternity into the workforce. Therefore, it would be better to struggle for these goals rather than placing an exclusive emphasis on legalization of abortion.

5. Abortion is the dominance of men over women.

Many pro-life feminist groups object to abortion because they see it as a male plot to continue sexual subjection of women. They argue that men see the risk of pregnancy as something that stops them from having sex when they want it. Easy availability of contraception and abortion puts women in a double bind as they find it difficult to resist the sexual demands of men as they are assured that they need not fear pregnancy any more. Thus, they continue to remain victims of sexual exploitation.

Conclusion

Abortion is the deliberate termination of the pregnancy and thus destruction of potential human life. We have discussed at length the argument for and against the abortion; to understand the meaning of life for the fetus as well as for pregnant women in various circumstances and conditions. Both sides have raised critical points about the limits of the opponent's position. Having acknowledged that each side has a significant claim in certain fundamental ways, we may now have a look at the limits of various arguments for and against abortion in a little more open-minded way than usual.

Supporters of Abortion maintain that women have the moral and legal right to control their own reproductive lives. Arguments for abortion involve placing an appropriate value on the lives and freedom of women. If we accept that a woman's chief role in her life is to bear and nurture children, then women are morally required to accept pregnancy from the moment of conception and take all the steps necessary for a safe and healthy delivery. But if the main and only task of women is not to spend their life to produce and bring up children then she is free to accept or reject her pregnancy. A woman's status and her ability to safeguard her own health and that of her family depends not just on her right to decide but also depends on her right to act as an independent adult. Reproductive freedom is claimed a basic right of women.

Abortion rights supporters have used the language of choice and privacy for their arguments. Pro-choice groups claim that the right to abortion is an 'absolute right': It

means that women have absolute right to control their own procreative destiny. Their argument in terms of a women's right to choose is problematic because choice is relevant and significant only for those who have options. But in reality, it is meaningless for those who do not have any space for choices in their lives. 'Choice' is inadequate to express the full range of needs and conditions that must be met if women are to be able to make their own reproductive decisions.

In India, the medical technologies which offer to detect the abnormalities of fetus, where it is suspected that the real aim is to discover the sex of the fetus which is the 'misuse' of the advantageous facility of such technologies. Given the value such a society puts on sons and the heavy economic burden daughters been aborted as a result of such test are female. Whose choice would that have been? Some women may have been pressured into abortions by husbands or their families and such late abortions are painful and inevitably distressing procedures. Others may have made the choice themselves because they themselves wanted to bear a son and felt no direct pressure from others but it would be difficult to call such a choice 'free' when it results from the low value put on women. Are such women ultimately better off for the availability of greater choice? It is certainly questionable.

Another problem with the choice discourse is that it cannot be ignored that in many Indian families choice is imposed upon the woman for seeking an abortion of a female fetus. Thus the 'right to choose' becomes in a way burden under the name of liberation. Choice can itself become an unwelcome burden and one impossible to refuse. Thus it is a weak ethical framework especially when counter posed to 'life'.

Humanitarian grounds for the mother's health provide a much more secure basis than 'a women's right to choose as an argument in support of abortion. Humanitarian grounds can support making of choice which may be in favour of both the mother and fetus in relevant circumstances. Putting women at the centre of the abortion debate has a number of implications. At one level, abortion is placed in its medical, social, political and moral context. In societies in which women are oppressed, and in which women's options are limited by the structures of patriarchy, abortion becomes a means of responding to the consequences of male domination as well as a means of breaking free from it. The implication of a woman-centred account for an understanding of the dilemmas of abortion is to take note of the fact that such a decision is made by particular women in particular circumstances. Feminists stress that women must be acknowledged as full moral agents, responsible for making moral decisions about their own pregnancies.

It is also important to note that both sides are concerned about the conditions that lead or drive women to obtain abortions. However, they construct their arguments by selecting fact and values which are suited for their purposes. This is evident that opponents of abortions construe choices in favor of abortion as merely personal convenience or crass expediency. On the other hand, some votaries of pro-choice position are interested only in the easy availability of abortion regardless of social and moral consequences. The pro-choice votaries believe that our world must be acknowledged as it is, and not just as it might or ought to be in the eyes of God. Here and now, in our present social reality, there are women who need abortions for legitimize reasons. Future solutions to their current problems will do them no good. They have to

live with the reality they encounter. They cannot be asked to live with avoidable burden and miseries waiting for a creation of a better future, which, even if possible, is not within their power as individuals to bring about. In contrast, the pro-life group believes that a better future cannot be achieved unless we begin now to live the ideals that we want to achieve, unless we are prepared to make sacrifices in the present toward future goals.

The debate will continue. What we have learnt from these debates is that none of the two positions is absolutely valid. Women must not be forced to become mothers. They should not be forced to kill their potential daughters, either.

Bibliography

Books

- Ahmad, Abrar., *The concept of self*, Lahor: Iqbal Academy Pakistan, 1996
- Al-Khilafah., *Islamic Verdict on: Cloning, Human Organ Transplantation, Abortion, Test-Tube Babies, Life Support Systems, Life and Death*, London: Al-Khilafa Publication, 1999
- Anthony, Weston., *A 21st Century Ethical Tool Box*, Oxford: OUP, 2001
- Anwar, Etin., *Gender and Self in Islam*, New York: Rutledge, 2006
- Aquinas, S. Thomas, *Summan theological in Great books of the western world*, Chicago: Encyclopedia Britanica, 1952
- Ayer, A. J., *The Concept of Person*, NewYork: St. Martin's. 1963
- Aristotle, *History of Aanimals*, 7. 3, 583b in Hutchins, R. M ed., *The work of Aristotle* V. II, Great books of the western world, Chicago: Encyclopedia Britanica, 1952
- Ashoraft, Richard, *John Locke: Critical Assessments*, Vol. III, London: Rutledge
- Beauvoir, Simone de., *The Second Sex*, Parshley, H. M tr. London: Everyman's Library, 1993
- Becker, Lawrence, Becker, Charlotte. B., eds. *Encyclopaedia of Ethics*, 2nd ed., New York: Routlege, 2001
- Borchard, Donald. M., ed. *Encyclopedia of Philosophy*, 2nd ed., vol. 1, Thomson Gale, 2006
- Borchard, Donald. M., ed. *Single Volume Encyclopedia: Philosophy and Ethics*, 1999

- Boss, Judith. A., ed. *Analyzing Moral Issues*, Mayfield. 1999
- Boylan, Michael., *Basic Ethics*, Prentice hall, 2000
- Brenda Almen., “*Right*” *A companion to Ethics*, Singer, Peter., Oxford: Blackwell, 2005
- Callahan, Daniel., *Abortion Law, Choice and Morality*, London: The Macmillan Company, 1970
- Chadwick, Ruth., ed. *Encyclopedia of Applied Ethics*, V. 1, Academic Press, 1998
- Charless, Fried., *Right and Wrong*, Cambridge: Harvard University Press, 1978
- Cook, Rebecca J., Dickens, B. M. and Fathallah M. F. *Reproductive Health and Human Rights* Oxford: Clarendon Press, 2003
- Correa, Sonia., “From Reproductive health to Sexual Rights: Achievements and Future Challenge”, *Reproductive Health Matterm*, Vol. 5. N. 10, 1997
- Descartes, Rene., *Meditation on First Philosophy*, John Cottingham (Ts.), Cambridge University Press, London, 1987
- Dreier, James., *Contemporary Debates in Moral Theory*, London: Blackwell, 2006
- Dworkin, R. M., *Life Dominion: An Argument About Abortion, Euthanasia and Individual Freedom*, 1993
- Engelhardt, H. T., *Foundations of Bioethics*, Oxford: Oxford University Press, 1996
- Garfield, J. L. and Hennessy, P., eds. *Abortion: Moral and Legal Perspective*, Usetts: University of Massach, 1984
- Gautam, Satya. P., *Reasons for Action: A Praxiological Approach to Philosophy of Social Sciences*, Delhi: Ajanta Publication, 1983
- Haber. Mass, Juurgen., *The Future of Human Nature*. Cambridge: Polity, 2003
- Harris, John., *The Value of Life*, London: Routledge & Kegan Paul.

- Hegel. *Philosophy of Rights*. Knox, T. M, (Tr.) Oxford: Oxford University Press. 1967
- Henry, Shue., *Basic Rights*, 2nd. ed. New Jersey: Princeton Uni. Press, 1996
- Hobbes, Thomas, *On the Citizen*, Tuck, Richard and Silverthorn, M., ed and tr.
Cambridge: Cambridge University Press, 1998,
- Hobbes, T. *Leviathan*, Tuck Richard Ed., Cambridge: Cambridge University Press, 1996
- Honderich, Ted. *The Oxford Companion to Philosophy*, Oxford: Oxford University
Press, 2005
- Jon, Elister., Nicolas Herpin. *The Ethics of Medical Choice*. Great Britain: Printer, 1994
- Kai, Wong., ed. *Applied Ethics: A Multicultural Approach*. 3rd. ed. New Jersey: Upper
Shidle, 2002
- Kuhse, Hegl and Singer, Peter., eds. *Bioethics: An Anthology*, Oxford: Blackwell, 1999
- Lemos, Ramon M, *Rights, Good and Democracy*, London: Associated Tand University,
1986
- Lillie, William. *An Introduction to Ethics*, London: Methuen and Company Ltd., 1967
- Locke, John., *Second Treatise of Government in Two Treatises of Government*, Book II.
Chapter V. S. 27ed. P. Lastett, New York: New American Library, 1965
- Mappes, Thomas. A., DeGrazia, David. eds., *Biomedical Ethics*, 4th ed., MacGraw hill
Inc., 1996
- Marvin, Kohl., *The morality of killing*, London : Peter Dwen, 1974
- May, Lary., Chobanian, Shari Collins., Wong, Kai. eds. *Applied Ethics and Multiple
Approach*, 3rd ed., Patric Hall Pub, 2002
- Mill, J. S., *The Subjection of women, in Rights of Women*, London: Everyman's Library,
1985

- Mohanty, J. N., *The Self and its others*, Oxford: Oxford University Press, 2000
- Moore, Adam. D., *Information, Ethics, Privacy, Property and Power*: University of Washington press, 1996
- N. Naffine, R. J. Owens., *Sexing the Subject of Law*, London; Sweet and Maxwell, 1997
- Norman, M. Ford., *The Prenatal Person: Ethics from conception to Birth*, Malden, M. A, Blackwell, 2002
- Noonan, John. P., *General and Special Ethics*, Chicago: Loyola University Press., 1947
- Nussbaum, Martha, *Sex and Social Justice*, Oxford: Oxford University Press, 1999
- Onora, O'Neill. *Towards Justice and Virtue*. Cambridge: Cambridge University Press, 1996
- Otteson, James. R. *Actual Ethics*. Cambridge: Cambridge University Press, 2006
- Planned Parenthood of New York City, *Abortion: A Woman's Guide*, New York: Abelard – Schuman, 1973
- Post, Stephen, ed. *Encyclopedia of Bioethics*. 3rd. ed. Vol. 1. Thomson Gale, 2005
- Paul Sachdev, *Abortion: Reading and Research*, Toronto: Butterworth, 1981
- Roth, John. K., *Genocide and Human Rights: A Philosophical Guide*, New York: Palgrave Machmillan, 2005
- Sandel, Michal. J., *Public Philosophy*, Cambridge: Harvard University Press, 2005
- Scott, G. E., *Moral Personhood: an Essay in the Philosophy of Moral Psychology* New York : State University, 1990
- Shafer-Landau, Russ, Cuneo, Terence., *Foundation of Ethics: An Anthology*. U. K: Blackwell, 2006
- Shand, John., *Fundamental of Philosophy*. New York: Rutledge, 2003

- Shue, Henry., *Basic Rights*, New Jersey Princeton University Press, 1996
- Singer, Peter., ed. *Practical Ethics*. Cambridge: Cambridge University Press, 1996
- Stein, Jess. *The Random House Dictionary of the English language*, New York: Random House, 1967
- Strawson, P. F., *Individual*, London: University paperback, 1959
- Ted, Hondrich., ed. *The Oxford Companion to Philosophy*. Oxford: Oxford University Press, 2005
- Thiroux, Jacques. P., *Ethics Theory and Practice*, Prentice Hall Pub, 2001
- UN Department of Public International, Platform for Action and Beijing Declaration, fourth *World Conference on Women, Beijing China, 4-15 Sep.* New York: UN, 1995
- Walton, Douglas., *Fundamentals of Critical Argumentation*. Cambridge: Polity, 2003
- Wollstonecraft, Mary. *A Vindication of the rights of women*, Middlesex Pelican books, 1978
- Wornok M. A., *Question of Life: The Warnock Report on Human fertilizations and embryology*, Oxford: Blackwell, 1985
- Xiaronghi., *Ethics Human Rights and Culture: Beyond Relativism and Universalism*, New York: Palegrave, 2006
- Yasin, Adilul, Upadhyay, Archana., *Human Rights*, New Delhi: Akash, 2004

Articles

- Brody, Baruch, "Opposition to Abortion: A Human Right Approach" in Arthur, John ed. *Morality and Moral Controversies*, 1986
- Callahan, Sidney., "A Case for Pro Life Feminism", in Beonnie Steinbock and John D Arras, eds *Ethical Issues in Modern Medicine*. 5th ed. Mountain View C. A: Malfield Pub. 1986
- Christine T. Sistare. "Reproductive Freedom and Women's Freedom: Surrogacy and Autonomy" in Jaggar, Alison M., "*Living with Contradiction: Controversies in Feminist Social Ethics*", Oxford Westview Press, 1994
- Christopher, Tollegesen., "Disputed questions in reproductive ethics", G, Khushf (ed.) *Handbook of Bioethics*, Kluwer Academic Pub. Netherlands 2004
- Coomaraswamy, Radhika, "Reinventing International Law: Women Rights as Human Rights in The International Community" in Ness, Peter Van, "*Debating Human Rights*" London: Routledge 1999
- Donagan, Alan. "A natural law accounts of the moral status of the fetus". in *Right Conduct: Theory and application*. New York Random House, 1988
- Edmund Leites, Locke's "Liberal Theory of Parenthood" in *John Locke, Symposium*, Wolfenbuttel ed. Brendt, Reinhard., New York: Walter de Gruyter, 1979
- English Jane. "Abortion and the Concept of a Person" in Cahn, Steven. M., Markin, Peter. eds. 7th ed., *Ethics, History Theory and Contemporary issues*, Oxford: OUP, 2002,
- Feinberg, Joel, "Abortion" in *Applied Ethics: A Multicultural Approach*, 2002

- Finnis, John, "The Rights and Wrongs of Abortion: A Reply to Judith Thomson" in *Ethics Theory and Practice*, Velasquez, Manuel, Rostunkouski, Cynthia New Jersey Prentice Hall 1985
- Finnis, John. "Abortion and Health Care Ethics" in Kuhse, Hegle, Singer, Peter. *Bioethics: An Anthology*, Oxford: Blackwell, 1999
- Glover, Jonathan, "The Sanctity of Life" in Kuhse, Hegle and Singer, Peter, eds. *Bioethics: An Anthology*, Oxford: Blackwell, 1999
- Graber, Mark. A., "Rethinking Abortion", *Equal Choice, the Constitution and Reproductive Politics*, 1996
- Hare, R. M., *A Kantian Approach to abortion* in Bayles, M. D and Henley, K. "Right conduct: Theory and application". New York Random House, 1988
- Holland, Alan. "A Fortnight of my life is missing a discussion of the Status of the Human 'Pre-Embryo' " in
- Almond, Brenda, Hill, Donald. eds., *Applied Philosophy: Morals and Metaphysics in Contemporary Debate*, London: Routledge. 1991
- Jaggar, Alison M, "Abortion and a Woman's Right to Decide" in Jaggar, Alison. M. ed. *Living with Contradiction: Controversies in Feminist Social Ethics*, Oxford: Westview press, 1994
- Laura, Purdy, Michal Tolley, "Is abortion is murder?" Bayles, Michael D., Henley, Kenneth, "Right conduct: Theory and application, New York: Random House 1983
- Lee, P, R, Gearge. "The Wrong of Abortion", in A, Cohen., C, Wellman., eds., *Contemporary Debates in Applied Ethics*. Oxford: Blackwell, 2005

- Louisell, David W, Noonan, J. T. "Constitutional Balance" in Noonan J. N. " ed. *"The Morality of Abortion"* Macmillan Company, 1970
- Margaret Olivia Little, "The Moral Permissibility of Abortion", in A, Cohen., C, Wellman., eds.. *Contemporary Debates in Applied Ethics*. Oxford: Blackwell, 2005
- Marquis, Don, *Why Abortion is Immoral*", in Kuhse, Hegle and Singer, Peter., eds. *Bioethics: An Anthology*, Oxford: Blackwell, 1999
- Noonan, John. "An Almost Absolute Value in History, " in Noonan, J. T. *The Morality of Abortion*, Cambridge: Harvard University Press, 1970
- Overall, Christine, Selective "Termination of Pregnancy and Women's Reproductive Autonomy" in May, Lary, Chobanian, Shari Collins., Wong, Kai. eds. *Applied Ethics and Multiple Approach*, 3rd ed., Patric Hall Pub, 2002
- Purdy, Laura. M. "Are pregnant Woman fetal containers?" in Kuhse, Hegle, Singer, Peter., eds. *Bioethics: An Anthology*, Oxford: Blackwell, 1999
- Robert Hoffman, "The Moral Right to Abortion" Michigan Quarterly review, Vol 8, No, 4. 1969
- Rosalind, Hursthouse. "Virtue Theory and Abortion" in Lafollette, Hugh., ed. *Ethics in Practice*, 2nd
- S. Kim, *Global Human Rights and world order* in R. Falk, S. Kim and S. Mendloviz, *"The United Nations and a just world order*, Colorado. Westview Press, 1991
- Sally, Markowitz, "A Feminist Defence of Abortion" in Sterba, James. P. ed. *Morality in Practice*, 5th ed., ITP: Wadsworth Pub., 1997
- Savulescu, Julian, "The limitation of life. Sustaining treatment" in Kuhse, Hegle and Singer, Peter., eds. *Bioethics: An Anthology*, Oxford: Blackwell, 1999

- Sistare, Christine. T. "Reproductive freedom and Women's freedom surrogacy and autonomy" *Living with Contradiction: Controversies in Feminist Social Ethics*, Oxford Westview Press, 1994
- Thomson, J. J., "Defense of abortion" in Kuhse, Hegl and Singer, Peter, eds. *Bioethics: An Anthology*, Oxford: Blackwell, 1999
- Tooley, M., "Abortion and Infanticide" Kuhse, Hegl and Singer, Peter., eds. *Bioethics: An Anthology*, Oxford: Blackwell, 1999
- Warren, M. A., "Abortion" in Singer, Peter, ed. *A companion to ethics* London: Blackwell, 2005
- Warren, M. A., "On the Moral and Legal Status of Abortion". In Cahn, Steven. M., Markin, Peter. eds. 7th ed., *Ethics, History Theory and Contemporary issues*, Oxford: OUP, 2002
- White, James. E. eds. *Contemporary Moral Problems*. 6th ed. ITP: Wadsworth Pub.
- Williams, George Huntston, "The Sacred Condominium" in Noonan J. T., ed. *The Morality of Abortion*. Cambridge: Harvard University Press. 1970