

THE ABORTION DEBATE:
A VERY BRIEF HISTORY

Two positions in the public debate:

Pro-life: All human life is sacred, and the fetus qualifies as a human life.

Pro-choice: The woman has a right to choose whether or not to have an abortion.

In the early 20th century, every state in the US had laws forbidding abortions. Up until the 1960s, Christian teaching, Anglo-American law, public opinion, and medical ethics were pretty much in complete agreement about the wrongness of killing an unborn human being.

What changed?

- a) *An Awareness of Birth-defects:* Once the link between thalidomide and severe birth defects became known, many pregnant women sought abortion. Famous case: Sherri Finkbane, who flew to Sweden to obtain an abortion.
- b) *Perceptions about Risks involved in Illegal Abortions:* Public opinion was affected by statistics regarding the number of women hurt in illegal abortions.

Around the time of *Roe v. Wade* (1973)—establishing that abortions up until the end of the second trimester fall within the constitutional right to privacy—eighteen states had already reformed their laws to allow abortions, usually related to the health of the woman, risk of abnormality, or the pregnancy being the result of rape or incest.

Public opinion over the last couple of decades has been between 75 and 78% pro-choice.

PRO-LIFE

At the heart of the pro-life movement is the idea that human life is sacred. This, of course, raises the question:

When does an aggregate of cells qualify as a *life*?

Common answer: *At the moment of conception.*

Traditionally, it used to be that a fetus was considered a living being at the moment the soul entered, a moment typically referred to as ‘quickening.’ This was also the moment at which the women could feel the fetus inside of her for the first time.

During the 19th century, in light of modern biology, conception started to seem a more reasonable dividing line.

First Problem: The conception does not make up a moment.

Conception is a process that lasts for approximately twenty-four hours, involving several steps:

- A sperm works its way through the outer layer of the egg.
- The layer locks up, so no further sperms can enter.
- The egg contains a pronucleus. The sperm loses its tail and constitutes a second pronucleus.
- The two pronuclei gradually draw together, until they finally merge, at a stage called *syngamy*.
- This completes the conception.

Second problem: So, let's say that life starts with syngamy. Does that mean that everything past syngamy is worthy of equal protection and moral consideration?

Example: Embryos can be created artificially by injecting a sperm into an egg. Are we to treat every result of such an injection with the moral respect we would treat, say, a one-year old baby?

Some might want to say "yes," and for the following reason:

What makes it wrong to "kill" an embryo—even an artificially created one—is exactly what makes it wrong to kill anyone; we are depriving it of a potential future.

Third problem: If it's wrong to "kill" an embryo because of its potential future, why isn't it equally wrong to "kill" eggs and sperms?

John T. Noonan: The difference between destroying, say, a single sperm and destroying anything beyond syngamy is that the latter has a much higher probability of actually developing into a baby.

Fourth problem: In fact, it turns out that the probability of a sperm resulting in a child from micro-injection is roughly equal to that of the embryo resulting in a child after fertilization.

PRO-CHOICE

An alternative approach is to put the divider between non-life and life at the point when the fetus becomes *viable*, i.e., able to survive outside the womb. *Roe v. Wade* places this border at the end of the second trimester, i.e., 26 weeks into the pregnancy.

First problem: This dividing line varies with what medical technology the expecting mother has available. Someone with access to sophisticated medical technology might carry a fetus that is viable already at 22 weeks, while their fetus might not have been viable until 26 weeks, had they lived somewhere else.

According to Singer, all of this indicates that what we need to do is spend less time trying to pin-point the exact boundary between life and non-life and more time on facing up to a very difficult question:

Under what circumstances—if any—is it morally permissible to terminate a life?

FOR DISCUSSION

The story

In one of its final regulatory moves, the Bush administration implemented a regulation that is supposed to protect doctors, nurses, and other health care workers from having to participate in kinds of care (primarily abortion) that they find morally objectionable.

Questions

- Name three virtues with the regulation.
- Name three potential problems with the regulation.