

Abortion

The subject of legal abortion has led to a nationwide, often emotion-filled, debate that has endured for many years and will for many years to come. People are decidedly in either in the 'pro-choice' or 'pro-life' camp. There are no compromises to be negotiated: one concerned with the life of a child; the other, the freedom of choice and woman's health. This paper will first present the 'right-to-life' then follow with the 'pro-choice' argument.

The right to choose is the foundation upon which this country was built. Those who are pro-abortion trumpet this slogan while proclaiming a woman's 'God given right' to make her own choices without government interference. This simple ideology is embraced by some but the arguments are flawed when the realities of abortion are examined. Studies have shown that most women are coerced into committing this murderous act of a living human and that there is no such thing as safe abortions as many are led to believe.

There is little freedom of choice for women who are experiencing an unwanted pregnancy. The women themselves usually wish to bring their baby to full term. Other powerful influences in her life such as husbands/boyfriends, parents and friends are generally the forces that exact pressures on her to terminate the pregnancy. "Eight out of 10 women surveyed after abortion said they would have given birth if they'd had support and encouragement from family and friends" (Reardon, 2002). It's the abortion that, in many cases, is unwanted by the woman, not the baby.

Another myth espoused as fact is that the aborted fetus is no more than a cluster of cells, a bit of tissue unable to even feel pain. A developing embryo has a unique set of

fingerprints as well as different genetic patterns than its mother. It is a human being unto itself. If one defines death as the stoppage of a heartbeat and murder as the forceful and intentional stopping of a heart then abortion is surely murder. If the existence of a heartbeat legally defined life, then almost all abortions would be illegal as the heart is formed by the 18th day in the womb. A British medical journal reported that when a pin is stuck into an eight-week-old fetus, it opens his mouth in a crying motion and pulls his hand away. By week five, eyes, legs, and hands begin to develop. “By week six, brain waves are detectable, mouth and lips are present and fingernails are beginning to form. By the eighth week the baby can begin to hear. Every organ is in place, bones begin to replace cartilage, and fingerprints begin to form” (National Right to Life Foundation, n.d.).

‘Pro Choice’ activists argue that women should have access to safe abortions, that ‘a nation founded on and dedicated to civil liberties could allow its citizens to resort to dangerous self-abortion procedures.’ That too is a false premise. Ninety-seven percent of women who have had abortions describe intense pain experienced during the procedure despite the use of local anesthetics. “Compared to other pains, researchers have rated the pain from abortion as more painful than a bone fracture, about the same as cancer pain, though not as painful as an amputation” (Bulanger, Melzak & Lauzon, 1989). Studies also show that patients typically found abortion more painful than their doctors or counselors told them to expect and that younger women tend to have a more painful experience than older women. “Complications are common such as bleeding, hemorrhage, laceration of the cervix, menstrual disturbance, inflammation of the reproductive organs, bladder or bowel perforation, and serious infection” (Danforth,

1986). Overall, women who have abortions increase their risk of future miscarriages and sterility. Humiliated, scared and ashamed, a mother to be must, generally, go to a clinic, not a familiar doctor for the most traumatic experience of her young life. Women can suffer long term physical as well as psychological complications from an abortion procedure.

Before abortion was legal, many thousands of young women were mutilated and died attempting to end a pregnancy though the wealthy were able to have illegal abortions safely. The wealthy were able to travel abroad or pay high fees to a local doctor willing to perform the procedure for a price but a poor woman must resort to less safe options. Prohibiting abortions does not and has never stopped them from occurring; it just acts to harm women. Those opposed to legal abortions are also in the same camp that opposes programs that aid the impoverished and abused children who are the result of unwanted pregnancies. They point to 'Christian morals' and 'family values' as justification for the loss of liberty, discrimination of the poor and the increased cases of injured women. The ideological divide will never be bridged but the debate whether abortion should be legal or not is a matter for the courts, as are all legal matters. This discussion considers the legal aspects of the abortion issue. The arguments for and against are significant in a social context yet inconsequential because they will not decide whether or not abortions remain safe and lawful.

The Roe v. Wade case, brought before the U.S. Supreme Court in 1973, resulted in the Court's determination that women have the constitutional right to have an abortion prior to when the fetus is viable, meaning when it can survive on its own outside the woman's womb. The decision invalidated any state law that restricted a woman to have

an abortion or a doctor to perform an abortion during the first three months (first trimester) of a pregnancy. It also restricted abortions during the second-trimester unless a woman's health was in jeopardy ("Roe v. Wade", 1997: 312). Though the case was then and remains today controversial, the Court's decision was correct from a constitutional context. Critics of the decision have generally made arguments based on personal moral beliefs which are irrelevant when the language of the Constitution is examined.

Those opposed to Roe also argue that if the Constitution does not directly address an issue, then the Congress, not the courts should decide matters such as this which have weighty moral implications. The Roe decision essentially addressed this question by asserting the government's concern for the life of the unborn does not outweigh the constitutional rights of the born and thus their decision to terminate a pregnancy. The Court did draw a line distinguishing what is considered murder of a child. On this issue, those that oppose abortion rights do have legal justification for debate. Viability seems to be an appropriate benchmark because in the early weeks following conception, the fetus is not a conscious being although those of religious conviction argue that it does have a soul. Viability is somewhat scientifically determined while the presence of a soul is not. Therefore, the line can only be drawn at the viability of the unborn as any other method by which to determine when abortions are considered murder is unclear (Dorf, 2003). Criticizing the Roe decision purely on moral grounds is easy but the difficulty lies in offering an alternative that is not subjective and clear enough to be enforceable.

Both sides of the abortion issue contain legal, ethical and social considerations that provoke great emotions as this paper has shown. It is important that those of each opinion understand the opposing viewpoint if they truly wish to debate the topic rather

than simply insist that their own viewpoint is correct. Only in this way can the national debate proceed with any hopes of resolution. If both sides understand the issues of the other, the emotional aspect can be lessened and replaced with reasonable conversations.

Works Cited

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