

Abortion ethics

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INTRODUCTION

The essay addresses one of the most controversial ethical issues, which divides the world's population into two camps for centuries. The topic of the thesis was chosen based on the topicality of the topic and because in connection with this issue around the world, in recent years there are many legislative changes in connection with the fight for equality and women's rights.

According to available sources, according to the Guttmacher Institute, it has been found that more than three hundred and fifty pieces of legislation have been in place that limits abortion in various ways (W. Austin, 2021).

Historically, abortion has been a recurring subject of debate, with some parties changing their views in part, with previously extreme views. The main point of the ethical problem of abortion is its morality as such. The main problem is far from the constitutional or legal norm that regulates it. There are two fundamental questions and perspectives on the issue. Part of the view is based on the view that at least some abortions are completely immoral and that a woman should not be restricted to free choice by law. On the other hand, there is a group of people who are extremely dependent on the possibility of abortion and are in favor of their prohibition in most or all cases (W. Austin, 2021).

The work aims are to focus on selected groups with different opinions, which describe the views on abortion from the point of view of the church with groups of believers, the problem of rape with incest, and the choice of free choice in general. Based on these areas, the work will be thematically divided into relevant parts and in the end, the strong arguments of all groups will be summarized. The aim is to bring the issue of differences of opinion together with the arguments of each party.

I. THEORY

1 DIFFERENCE OF OPINION ON THE ISSUE OF ABORTION

1.1 Abortion and Religion

The view of the issue from the perspective of the Church is based primarily on the opinion of its main representative, which affects millions of believers around the world. Currently, the current Pope Francis has made several statements in the last few years, absolutely refuting any possibility of abortion. In the last few years, Pope Francis has issued several public statements about abortions (Mares, 2021).

In 2013, the pope made a statement to a group of doctors, gynecologists, and obstetricians that they were primarily obliged to take care of the resulting human life from the very beginning, which called for human sacred to be sacred at every age and stage of life. In connection with this statement, the question arises as to whether it is not the same duty of a doctor to protect the life of her patient, with the proviso that even though the woman is pregnant and there will be complications and threats to both. The primary effort is always to save the woman herself and subsequently the unborn fetus. The Catholic Church still enforces a strict ban on abortion under any circumstances. There is a complete lack of consideration of conception in rape or termination of pregnancy in the event of fetal harm or maternal life (Mares, 2021). When the pope was confronted about abortions during the current Zika virus problem, a very serious complication of which infects a pregnant woman is microcephaly, which is subsequently associated with mental and physical disorders. At the same time, other congenital malformations in the infant also appear (World Health Organization, 2021). Despite this scientifically based fact, Pope Francis strictly rejects the possibility of abortion if a serious fetal injury is confirmed. In connection with the situation with the Zika virus, it was rumored that the abortion was against the Hippocratic Oath and could not be carried out under any circumstances. The pope further claims that abortions are a human problem, not a theological one (Mares, 2021).

Following his statement and the current situation, it should be noted that the provision of abortions is a major ethical issue for physicians. These are mainly states where abortion is a criminal offense. The idea that abortion qualifies as a crime is taken as a stigma that is worse than other crimes. Based on this stigma, we can talk about two levels of unethical behavior. The first is the refusal to provide abortions to women who meet legal requirements, based on conscientious objection. The second level is discrimination against women

who have complications after an abortion. The problem with both levels of unethical behavior is that both can endanger a woman's life due to rejection or delay in care. Preventing recurrent abortions is an often-overlooked ethical issue. There is a possibility of using post-abortion contraception, which is often forgotten. It is possible to comply with the ethical obligation to protect patients and prevent repeated abortions (Faúndes A, Miranda L., 2017)

1.2 Incest and Rape situation

Another great ethical problem is the issue of abortion after rape or pregnancy by incest. A large number of countries consider rape as the legal basis for access to safe abortion services provided by competent organizations. Based on the fact that rape is considered a criminal offense, these laws carry criminal elements, along with elements of health care, which then involve legal and medical expertise.

These laws should be available to all women who are exposed to this traumatic experience and have a fetal conception. The main aim of these laws should be to assist women and, above all, to ensure safe abortion. One of the conditions for a woman to qualify for an abortion is to undergo a medical examination after a traumatic experience. Here, from the point of view of ethics, I see a fundamental problem as to whether this position is correct and friendly, given the state in which the woman finds herself. Unfortunately, some laws are inaccurate and vague that do not accurately describe the procedure and issues of the search, which can result in even greater trauma to the woman. Unfortunately, another set of laws leaves no room for regulation and is still extremely conservative and does not accept the changing socio-economic situation (Teklehaimanot and Smith, 2004).

From an ethical point of view, the detection of a rape-related pregnancy can lead to opportunities to improve the current situation and interpersonal support and to open legal sanctions, mental health care, and funding for the affected woman. The aim of those involved in abortion care should be to create an environment that allows the rape victim to be identified and dealt with so that they have access to all options as far as their wishes and freedom of choice are concerned, which would not be limited by national laws (Perry et al., 2014).

Laws that vary from a direct ban on abortion to their permission without restriction. Based on available data, in 2017, 42% of women of childbearing age lived in 125 countries where abortions are severely restricted. This is either a total ban or they are only allowed to save women's lives or protect their health. The vast majority, 93% of countries with such restrictive laws, are located in developing regions. In contrast, liberal laws can be observed

in almost all European countries (Singh et al., 2018). Here, I would cite Poland as an example of a state with strict restrictions, where the topic of abortion is still relevant and, unfortunately, the laws are even being tightened (Nowicka, 2021). Liberal laws are also in North America, with the exceptions of specific states such as Texas, which has some of the strictest laws. In early September of this year, the Republican Texas leadership introduced a ban on abortions once the heart rate of the embryo could be detected. Even women who have become pregnant because of incest or rape cannot have an abortion. In the US, however, according to the current interpretation of the constitution, women have the right to abortion until the fetus becomes viable, which occurs after the 20th week. Unfortunately, despite President Joe Biden's efforts, the ruling Federal Court of Appeal sided with Texas and allowed the restrictions to remain in effect (the U.S. Federal Court has again allowed Texas to keep the abortion ban in force. Biden will ask for the law to be blocked, 2021). From an ethical point of view, this is a big problem, as it is constantly increasing abortion tourism, together with restrictions on human rights.

Some countries with liberal laws continue to impose restrictions on access to justice, including the United States and selected countries of the former Soviet Union. Twenty-eight countries have changed their abortion laws since 2000, extending to one state the legal grounds that allow abortion to protect a woman's health for any reason. The great success of the parties to the ethical conduct is that twenty-four states have added a case of rape, incest or if a fetus has a diagnosed serious anomaly to the reason for abortion. Unfortunately, similar changes in conservative governments and highly religious states can take several years, and unfortunately may never succeed in bringing about change that would change the lives of thousands of women in the world who have gone through this trauma (Singh et al., 2018).

CONCLUSION

So how has the situation and practice regarding abortion around the world changed in the last decade?

The benefits in the field of ethics are certainly better access to abortion, together with the expansion of and access to legal services in countries that have only recently adapted their legal frameworks. Major advances also include improving the safety and availability of the procedure itself.

The benefits of global efforts have been to reduce abortion-related mortality, together with improved post-abortion care services (SINGH, Susheela, et al., 2018). However, which is still partially underestimated, as mentioned by Faúndes A, Miranda L., 2017, which can be used to comply with the ethical obligation to protect patients and prevent recurrent miscarriages. In this way, the effectiveness of the care provided can be significantly increased.

Unfortunately, it cannot be said that progress is even across problem areas. Therefore, not all countries meet the safety of abortions, with follow-up care according to recommended standards. The main difference is mainly depending on the maturity of the country and its socio-economic situation.

The danger of abortions is a very serious ethical issue. According to research, between 2010 and 2014, 45% of women worldwide underwent dangerous abortions. A large proportion of dangerous abortions take place in developing countries. Where patients do not receive follow-up professional care from health workers in the event of a complication. Access to safe abortions is limited by several factors that limit a woman's free choice and lead to a moral dilemma. The limiting factor is the widening of the stigma, the lack of trained care providers, especially low-quality, highly underfunded services, and the most restrictive legal restrictions.

It should be noted that in several countries with highly restrictive laws, safe services are available, while in countries where abortion is permitted, abortion is subject to strict conditions and demanding approval requirements. Another complication, and from an ethical point of view a very significant problem, is that although several restrictive countries allow abortion after at least one legal indication, almost none of them have regulatory systems in place that women who are legally qualified will have access to safe abortion under those indications. Finally, I would like to mention three key pillars based on which the availability and quality of the care provided could be improved. This can only

be achieved through the development of the basic pillars of access to safe abortion services, quality, availability and coverage of post-abortion care, and access to contraceptive services (SINGH, Susheela, et al., 2018).

It is essential to ensure that women around the world have access to these methods, that they are treated with dignity, and that they have the freedom to make ends meet.

BIBLIOGRAPHY

Americký federální soud znovu umožnil Texasu nechat v platnosti zákaz potratů. Biden požádá o zablokování zákona, 2021. <https://ct24.ceskatelevize.cz/> [online]. Praha [cit. 2021-12-19]. Dostupné z: <https://ct24.ceskatelevize.cz/svet/3386126-americky-federalni-soud-znovu-umoznil-texasu-nechat-v-platnosti-zakaz-potratu>

AUSTIN, Michael W., 2021. Ethics and Abortion: Two opposing arguments on the morality of Abortion. *Psychology Today* [online]. New York: Sussex Publishers [cit. 2021-12-19]. Dostupné z: <https://www.psychologytoday.com/us/blog/ethics-everyone/201906/ethics-and-abortion>

FAÚNDES, Anibal a Laura MIRANDA, 2017. Ethics surrounding the provision of Abortion care. *Best Pract Res Clin Obstet Gynaecol* [online]. **43**(8), 50-57 [cit. 2021-12-19]. Dostupné z: doi:10.1016/j.bpobgyn.2016.12.005

MARES, Courtney, 2021. Respect Life: Pope Francis' 8 strongest statements against abortion. *Catholic News Agency* [online]. Englewood: Eternal Word Television Network [cit. 2021-12-19]. Dostupné z: <https://www.catholicnewsagency.com/news/249172/pope-francis-abortion-statements>

NOWICKA, Wanda, 2021. Sex Politics: Reports from the Front lines. *Sexuality policy watch* [online]. Rio de Janeiro: ABIA – Brazilian Interdisciplinary AIDS Association [cit. 2021-12-19]. Dostupné z: <https://www.sxpolitics.org/frontlines/book/pdf/sexpolitics.pdf>

PERRY, Rachel, et al., 2014. *One Problem Became Another: Disclosure of Rape-Related Pregnancy in the Abortion Care Setting* [online]. Chicago [cit. 2021-12-19]. Dostupné z: <https://www.sciencedirect.com/science/article/abs/pii/S1049386715000687#!> Case study. University of Illinois at Chicago.

SINGH, Susheela, et al., 2018. Abortion Worldwide 2017: Uneven Progress and Unequal Access. <https://www.guttmacher.org/> [online]. Guttmacher Institute [cit. 2021-12-19]. Dostupné z: <https://www.guttmacher.org/report/abortion-worldwide-2017?fbclid=IwAR2vPKJBDnuHb29Owru-G7F7IciyeP2Fwka0hfNTFkJuz7Sc7QfR0exfvAU#>

TEKLEHAIMANOT, KI a CH SMITH, 2004. Rape as a legal indication for abortion: implications and consequences of the medical examination requirement. *Med*

Law [online]. **23**(1), 91-102 [cit. 2021-12-19]. Dostupné z:
<https://pubmed.ncbi.nlm.nih.gov/15163078/>

Upravit citaci

World Health Organization: Zika virus [online], 2021. Geneva: World Health Organization
[cit. 2021-12-19]. Dostupné z: <https://www.who.int/news-room/fact-sheets/detail/zika-virus>