

ABORTION – solution or murder?

Introduction

In these times, the topic of legally abortion has been widely discussed in EU countries, especially in the connection to legal force of new law in Poland. The reason for this controversial debate is the final ruling of Constitutional Tribunal from 27th January 2021. The exception for legally provided abortion from 1993 stated in Law of protection for unborn fetus has been found, according to this ruling, to be anti-constitutional. From this date, in Poland are only two legal reasons for legal interruption – if the life of mother is in direct danger and woman is supposed to die if the abortion is not provided, and the second – if the pregnancy is the result of criminal act (rape). This woman has to make a decision before the end of 12. Week of pregnancy. (1) The decision of Constitutional Tribunal aroused in wave of indignation by Polish citizens also by representatives of EU countries. (2)

May this Polish law take a place in democracy? Where are the ethical borders? Can this kind of restriction have a harmful impact on health of expectant mother? The aim of this essay is to provide the overview of facts which support the more democratic attitude to this topic, as the restrictive actions may lead to destructive results, and clarify why the possibility of choice should have been accepted as one of the mainstays of democratically developed countries.

1. Definition of Abortion, historical context

The expression “Abortion” originally comes from Latin word “abortio” which had been in 1540s defined as “*expulsion of the fetus before it is viable*”. Originally the deliberate as well as unintended miscarriages had been called as an Abortion.

The term “Abortion” had been changing in 19th Century. Miscarriage had been used for the period of interruption within first 6 weeks of conception, for the period of 6 weeks and 6 months of pregnancy the term “abortion” took place. If the untimely parturition took place after 6th month of pregnancy this kind of birthchild had been labelled as “premature labor”. (3)

In these days miscarriage and abortions are used as synonyms. The meaning of abortion seems to be clear, respectively the exact definition. But the differences in perception of human being and the objectives related to conception of human life are the origin of pro and contra deliberate abortion attitude.

2. Embryo or living baby?

One of the most discussed topic connected to miscarriages is when exactly the human life begins. This question can be considered as the conflict of ethic and political point of view. Although some of the pro-abortion arguments are based on medical and science definitions, Condic Maureen L. in article "When does human life begin: The Scientific Evidence and Terminology Revisited" "shows example of ambiguity also in scientific approach of human life beginning. Simply conflict between understanding when exactly the human embryo starts its existence show us the diversity of human's understanding at all. Specialized medical literary describes the process of formatting zygote as a fusion of sperm and oocyte before the process called syngamy (24 h after fusion). But this statemen is often misleading. The scientific conclusion is, as Maureen L. mentioned, that an objective view of modern science and correct scientific definition of the term "zygote" is: "*One-cell human organism (i.e. a human being) that forms immediately upon sperm-egg fusion.*" (4) Contra-abortion people emphasize this point of view without any connection to other objectives. The beginning of life is zygote. But the problematic is much deeper – is the form of cells real human? What does make from this cell-formation living human? Beating heart, consciousness, human appearance?

2.1 Abortion – view of society

As Condic Maureen mentions: "*There is no consensus on when a human embryo or fetus is a human person with basic human rights.*" (4)

The diversity between subjective conception of human life and inhomogeneous interpretation of human rights may lead to violence in society. One of good examples how harmful could the lack of consensus between people be is the murder of doctor Tiller in 1993 in US. Mr. Tiller had been shot and killed by anti-abortion activist Scott Roeder. Tiller provided late-term abortion. The mentioned reason for his death was the essential need to help stopping of murdering more babies. (5) Another shocking case also comes from the USA territory. Dr. Kermit Gosnell was convicted for murder of 3 infants who were killed after their delivery in late-time abortion. (4)

The absence of any conclusion how the society should consider miscarriages and mix of factors of morality, ethics and objectives by each case causing the lack of understanding for other-side opinion.

The article in Health and Human Rights Journal authors P. Lowe and S. Page describes the situation in UK. According to this, UK is one of the countries with strong supporters of abortions. 90 % of people here are convinced the abortion should be supported in some circumstances and 70% of them belief that abortion should be considered by pregnant woman on her own in any reason. Although the huge number of the people in UK agree or partially agree with supportive actions to women who has made a decision for abortion, the

pressure of anti-abortion activists has increased. (6)

On one hand, anti-abortion activists advocate the rights of unborn child. But they are forgetting about the right of future mother on the other hand. Pro-abortion society claims about non-discrimination, autonomy and liberty of mother, on the other hand – are they considering all factors which have a direct impact on the decision for abortion or are they just calling for democracy?

2.2 Arguments of anti-abortion activists

The main argument of anti-abortion groups is based on the frame of historical claims about fetal right to life. Most of these claims and laws in historical context are connected to religion. Mostly Religion-based societies, like Christians, are in the centre of anti-abortion groups as they focus on the belief the fetus has a soul. Other frequently mentioned reason is just the fact that the act of abortion is in the fight with nature and against the science of conception. According to the objective fact, the zygote forms immediately after conception, some activists claim the DNA, unique DNA, is that issue which making the human from cells. In extreme cases, individuals compare the abortion to slaves and claim Holocaust and abortions are on the same level as slavery. (6)

To conclude this, most of the anti-abortion people react on facts, which has been present by the people who advocate abortion, and try to show them the historical or natural basics why these facts are misinterpreted.

3. Abortion as a solution or help

In previous chapter the standard arguments for rejecting legal miscarriages have been presented. The unborn child is, in a simplified way, discriminated and its right are not respected in the case of abortion. Mother has the right to be mother and nobody deny her this in fact. But many of specific situations and factors can be absolutely destructive for her previous life if she yields to the pressure of family, activists even though medical specialists evaluate the health conditions of unborn child or fetus as a direct health risk for potential mother.

One of the most religion-based countries in EU is Poland, which has been already mentioned in introduction part. The real case of mother, who suffered from the restrictions of abortions in Poland and paid by her life, shook with the polish public. This woman died due to septic shock which was a consequence of too long waiting for stopping heart beating of unborn child. (1) This example shows form of “causing death” of unborn child as the protection of mother’s health.

WHO, World Health Organisation, marks abortion as a common health intervention and appeals on society and political representatives in order to keep women safe and support them with the providing safety abortion, if needed. (7) The Abortion care is also included in the list of essential health care created by WHO in the last year.

It does not matter if the reason for abortion is based on health problems of already unborn child, bad family relationships or internal financial situation of the family. All these reasons could have an irreversible effect on physical and mental health of mother. If the Comprehensive Abortion Care is not provided safely and timely, this kind of mother will try to find solution, even though illegal, in order to save her life.

As the WHO mentions, the lack of access to affordable and respectful care during these hard times is definitely associated with increasing risk of pushing women into dangerous decisions. (7)

WHO also named the following health risks which are in connection with unsafe abortion:

- *haemorrhage (heavy bleeding);*
- *incomplete abortion*
- *infection*
- *uterine perforation*
- *damage to the genital tract and internal organs as a consequence of inserting dangerous objects into the vagina or anus*

Other risks are associated with mental well-being: stress, stigma. (7)

The data shows the restriction of legal abortion do not lead to decrease of number of provided abortion in total. The other way around – whereas the annual rate of abortion in high-income countries with legal abortion was 11 abortions per 1000 women, the abortion rate in countries with strong restrictions was 32-48 abortions per 1000 women. (8)

The argument of willingness to achieve the decreasing value of abortion by implementation of restriction to providing abortion has been by this research disproved.

The problem of unequal access to complex abortion care is not only about the health problems of expectant mother after undergoing of unsafely abortion as the effect of restrictive politics. The democratic state and politic representatives should have taken into account also the financial impact of restrictive politic in the field of abortion.

It is proved that the implementation of restricted policy negatively influences the economical situation of expectant mothers and their career. As a good example can be mentioned the lower number of young women who are not able to continue with secondary or next education from the reason of maternity in the states where the legal abortion policy takes place. In total, negative result also show the negative economical impacts on the whole state. (9)

Unsafely provided abortions increase the risk continuous health problems or extremely the risk of death – mortality. According to data mentioned in analysis focused on Economic Impact of Unsafe Abortion, almost 20 millions of abortion are provided annually and more than 5 millions of them result in hospitalization in case of medical complications. It means more than 25 % of unsafe abortions lead to serious healthy problems after the surgery. (10)

From this point of view is not necessary to mention that the costs for health-complications, microeconomical loses from reducing the future income of young women (lower education) and increasing financial load on expectant mother caused by their effort to find any possible access to miscarriage are incomparably higher than costs for providing them legal comprehensive abortion care and full support in order to getting access to safe and timely care.

Conclusion

According to the facts mentioned the impacts of illegal abortion are much more serious than it seems. In democratic highly developed states should not be the space for violence on anybody's health and risk anybody's life if there are implements how to avoid this.

Whereas the scientific point of view is obvious the conflict of ethical aspects and existing reasons based on individual facts for undergoing abortion is probably impossible to solve definitely. The one and only consensus is unable to apply across the society, because of individual needs, different socioeconomical, financial, geographical and political status of any member. Although the history, religion and moral factors are strong arguments for supportive actions against abortion provision, we should respect the liberty of each human and human rights which can be easily put in danger if the restrictive actions and regulations overstep the institutional right for health protection.

All mentioned above show us the importance of development democratic approach and the advantages of more liberal attitude instead of implementation of more restrictive rules, but we should remember that each coin has always two sides. It is not easy to find any compromise to respects both parties of this controversial topic but if we would like to avoid of harmful negotiation and violence on others we have to try deeply understand each other.

The measurable variabilities such as the number of abortion in specified country and its development in time or the economical influence of implementation or refusing of any controverse regulation emphasize the necessity of education in the public.

WHO provided us proofs based on medical experience, data and biological facts which support the principles of providing individual healthcare to everybody who needs it, without exceptions for abortion. It may significantly decrease the amount of serious health complications which occur after undertaking unprofessional abortion care and especially help patients to find much easier way to interruption at all and feel safe, respected and calm. This should be the mainstay of democracy – has the choice and be able to decide if it influences physical health or our well-being.

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