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# **ABORTION: A CRITICAL ANALYSIS OF THE PRO-ABORTION POSITION**

**By**

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degree of Masters of Arts, in the University of Nairobi.**

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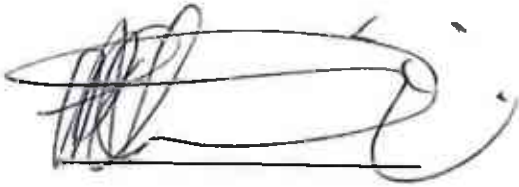
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DECLARATION

This thesis is my original work and has not been submitted for a degree in any other university.



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This thesis has been submitted for examination with My approval as University supervisor:



30/9/99

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**TABLE OF CONTENTS**

Dedication.....	v
Acknowledgements.....	vi
Abstract.....	vii

**CHAPTER ONE: INTRODUCTION**

1.1 Statement of the research Problem.....	1
1.2 Research Objectives.....	3
1.3 Justification and significance of the study.....	3
1.4 Literature Review.....	3
1.5 Theoretical Framework.....	18
1.6 Hypothesis.....	19
1.7 Methodology.....	19

**CHAPTER TWO: IS THE FETUS A HUMAN PERSON?  
THE PRO-ABORTIONIST POSITION.**

2.0 Is the fetus a human being?.....	23
2.1 When does human life begin?.....	23
2.2 Concept of person: Is the fetus a human person?.....	25
2.3 Conclusion.....	48

**CHAPTER THREE: OTHER ALLEGED JUSTIFICATIONS  
FOR ABORTION.**

3.1 The supposed cases for abortion.....	52
3.2 Fallacies (The semantic war).....	60
3.3 Conclusion.....	65

**CHAPTER FOUR: THE HIDDEN SIDE OF ABORTION - A LOOK  
AT THE INSURMOUNTABLE RISKS INVOLVED.**

4.0 Introduction.....	67
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4.1	Physical risks.....	68
4.2	Psychological risks.....	73
4.3	Other effects.....	76
4.4	Conclusion: The painful reality.....	77

**CHAPTER FIVE: IS ABORTION THE BEST WE HAVE TO OFFER?  
VIABLE OPTIONS AND ACTIONS.**

5.0	Introduction.....	80
5.1	A call for action: Preventative and Curative Steps, Options, Actions, and Measures.....	85
5.1.1.	Personal Level.....	85
5.1.2.	Community Level.....	88
5.1.3	Institutional and Organizational Level.....	89
5.1.4.	Governmental Level.....	90
5.2	Summary and Conclusion.....	93

<b><u>APPENDICES</u></b> .....	98
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<b><u>BIBLIOGRAPHY</u></b> .....	101
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**DEDICATION**

**TO ALL THOSE INNOCENT BABIES WHOSE LIVES HAVE BEEN  
CUT SHORT IN THE HANDS OF THE ABORTIONISTS.**

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## ABSTRACT

This study set out to critically examine the views held by that section of humanity who advocate for legalization of abortion. To achieve this an analysis of the pro-abortion's key arguments in support of abortion was carried out using the deontological ethical theory as a framework.

The study has critically analyzed the reasons and arguments given in support of abortion. It has found out that such arguments are untenable and therefore can not be used as a basis for the termination of the life of the unborn baby.

This study has also attempted to show, through the examination of the physical, psychological and economic post-abortion effects both to the individuals concerned and the society, that the consequential cost of the abortion decision outweigh any supposed benefit.

As a solution to the abortion problem this study has suggested and recommended viable options and steps of action that seem more appropriate, dignified, and uphold the sanctity of human life.

It is believed that this study has made some modest contribution to the world of scholarship. More particularly, it is hoped that it will provide useful material/information for individuals, families, organizations, academic institutions and government policy makers that are now faced with the dilemma of abortion or have accepted it.

# CHAPTER 1

## INTRODUCTION

### **1.1 STATEMENT OF THE PROBLEM**

The subject of abortion is one of the most controversial moral issues in the world today. The abortion debate has dichotomized humanity into two major camps. On the one hand are those who support the practise and are variously refered to as the liberals, pro-choice, and pro-abortionists. And on the other hand are those who are against it and are variously refered to as the conservatives, anti-abortionists, and pro-life.

The proponents of abortion have as their core justification the claim that a fetus is not a person. They make a distinction between a human being and a human person. According to them, whereas we can talk of all human beings being the same in the genetic sense, we cannot do the same in the moral sense. It is their contention that for a human being to qualify to be human in the moral sense - that is to be called a person, and hence a subject of rights, he/she must posses such traits as consciousness, reasoning, self - motivated activity and the capacity to communicate among others. And since the fetus has no such characteristics, they conclude, it cannot therefore be said to have any serious right to life and consequently therefore can be aborted without any adverse moral or legal implications.

It is the purpose of this study to examine the pro-abortionists claims as reflected above to see whether or not they are sustainable.



## Operational Definitions

### 1. Abortion

The term abortion has been used variously in the following ways :

i) Spontaneous abortion. A spontaneous abortion occurs when the mother fails to carry the child to full term due to a natural unintentional expulsion of the fetus before full time. This can occur due to a loose cervix, a fall by the mother among other causes. This is also referred to commonly as miscarriage.

ii) Therapeutic abortion. Therapeutic abortion occurs when the doctor intentionally terminates the life of an unborn baby due to some medical reasons. Among those reasons are ectopic pregnancies and severe ailment of the mother. The aim here is to save life at least that of the mother.

iii) Criminal abortion. By criminal abortion, we do mean the intentional killing of a developing human baby inside the mother's womb in order to end the pregnancy. This induced abortion is deliberately aimed at the killing of the developing baby (fetus)

It is this kind of abortion - the deliberate destruction of the fetus with which we shall be primarily concerned and which, in what follows we shall use the word 'abortion' to signify.

### 2. Fetus

The term 'fetus' strictly speaking, applies to the prenatal organism only after it has reached a certain stage of development. Before that stage, it is called an 'embryo' or immediately after fertilization, a 'zygote'. In this thesis, while these other terms will continue to be used in their restricted senses, the term 'fetus' will be used in a broader sense, to signify the prenatal organism at any stage of development from fecundation (fertilization) to birth. The terms 'fetus' and unborn baby at whatever stage are used synonymously in this thesis.

## **1.2 OBJECTIVES.**

The general objective of this study will be to investigate into the morality of abortion. However the specific objectives are:

- i. to examine the various arguments advanced by the pro-abortionists in support of abortion;
- ii. to investigate into other viable options to the pro-abortion position;
- iii. to re-examine the attitude towards the value of human life.

## **1.3 JUSTIFICATION AND SIGNIFICANCE OF THE STUDY**

First, it is imperative that this study be carried out because innocent lives in terms of millions are being lost yearly. It is not just some life being played with, but human life being liquidated mercilessly.

Secondly, if the abortion practice is allowed to continue unchallenged and unabated then the door will very likely be opened for other unjust practices such as infanticide and euthanasia.

The significance of this study lies in the fact that its focus is not only on finding out the real issue underlying the abortion practice as it is done today but also in its valuable provision of alternative and viable options that can significantly tame this practice at its root.

This study also challenges the entire humanity: the culprits and the victims of abortion, the affected and the unaffected to rethink about their attitude towards the value of human life.

## **1.4 LITERATURE REVIEW.**

The abortion debate has globally taken various dimensions and intensity. Two major camps have emerged: the pro-abortion and the anti-abortion.

The views adopted by the various stake holders in this debate can be classified into three categories namely: conservative, liberal and feminist views. Below is a brief summary of the basic arguments of each of these views.<sup>1</sup>

## (i) The conservative view

According to this view it is wrong to kill an innocent human being; and a human fetus is such a being. It is concluded then that it is therefore wrong to abort since to abort is to kill a fetus. Those who hold this view are not interested in making a distinction between a zygote and a fetus. According to them a human being's existence begins at conception. They are also referred to as the pro-life.

## (ii) The Liberal view

Unlike the conservatives the liberals make a distinction between a zygote and a fetus. They contend that while a fetus might be called a human being, a zygote is not. Hence while it may be wrong to abort a fetus, the same is not the case with a zygote.

Furthermore, the liberals make a further distinction, between a human being and a human person. For one to qualify as a person he/she must possess two basic qualities; self consciousness and a minimum degree of reasonableness. Which, of course neither the zygote nor the fetus does have, they say. The liberals are also referred to as the pro-choice.

## (iii) The feminist view

This is the position taken by a group of women who claim that they have a right to use their bodies in any way they want and should not be dictated by anyone else. If, therefore, there is some object in the body (like the fetus) which they find undesirable, then they should have the right to dispose of it.

The women who hold this view are of the position that whatever is developing in the woman's womb is part and parcel of her body and not an independent entity. However it is important to point out, here, however, that there are some people who hold "moderate" positions relative to the above mentioned ones.

Joseph Fletcher, a believer in abortion on demand, discusses abortion in connection with recent issues arising in genetics and medicine, such as artificial insemination, sperm banking, and cloning in his book *The Ethics of Genetic Control*. According to Fletcher the changing attitudes towards human sexuality and the development of modern contraceptive devices have largely separated sexual activity from procreation. Love making can now be done as an end in itself without the fear of it resulting in undesirable consequences and inconveniences in the form of unwanted pregnancies. He writes thus “Love making and baby making have been divorced. Sex is free from the contingencies and complications of reproduction, and sexual practice can now proceed on its own merits as an independent value in life.”<sup>2</sup>

This is now the time to “Make love not people”. This to him, is the rock bottom fact of the new age and new morality.<sup>3</sup> Fletcher sees abortion as one of the many technological means for controlling natural processes such as human procreation in difference to personal values such as individual freedom and self-fulfillment. Modern contraceptive devices and abortion techniques have enabled man to extend the technological control over the natural order to the biological dimensions of human life and procreation.

According to Fletcher decisions made based on the existing traditional value systems are no decisions at all for such evaluation is already pre-determined. He argues therefore, that proper decisions are made not on the basis of a priori moral principles, but on the basis of rational calculation of the probable consequences of a given line of action. Pragmatism to him is the best approach. He writes thus:

If we try to cope up with the morality of birth technology and genetic engineering by simply applying the right - wrong rules of an inherited and “time tested” value system we will most likely be hung up, unable to make constructive judgments because our evaluations are already determined, present... As we have already noted, there are in the end only two ways to decide what is right. Either we will obey a rule (or a ruler) of conscience, which is the a priori or

prejudiced approach, or we will look as reasonably as we can at the facts and calculate the consequences, the human costs and benefits - the pragmatic way<sup>4</sup>

In Fletcher's view when one is faced with a specific ethical situation the best course of action to take is not to allow the a priori rules to take precedence. Specific calculations of probable costs and benefits to those concerned must be undertaken. By so doing we will come to realize that contrary to the common held ethical maxim that "The end cannot justify the means", the end result of some particular concrete ethical situations, the good to be achieved will justify the means. In light of this he dismisses the above mentioned maxim as a nonsensical maxim:

...Surgeons hurt the flesh and psychiatrists the feelings, upon occasion. In orthopedics a patient may be urged to put weight painfully on a broken joint, or the joint may even be rebroken ... so - do no harm means, do no harm unless the end justifies the means. This makes the folklore saying "The end cannot justify the means" a nonsensical maxim because we believe that only the end ( a proportionate good) makes sense of what we do (the means).<sup>5</sup>

The decision as to whether we have the right to do away with fetuses or a moral obligation to protect them will depend, according to Fletcher on the position that we hold about the person hood of the fetus. The question as to whether a fetus is a person or not poses other questions such as, what is the essence of a person and when does this essential element emerge? The decisive problem, according to Fletcher is to identify the essential thing the *sine qua non*, that without which there is no person.<sup>6</sup>

Fletcher observes that there are three predominant views concerning human person hood: first, the identification of person hood with biological life, beginning at fertilization; second, the identification of person -hood with the soul, either at the time of conception or at some discrete point thereafter; and third, the identification of person hood with the rational functions of human personality.

Fletcher takes the third position. The unborn and the immobilized lot in the society are nothing but no persons. He writes thus:

Humans without some minimum of intelligence or mental capacity are not persons, no matter how many of their organs are active, no matter how spontaneous their living processes are. If the cerebrum is gone, due to disease or accident, and only the mid - brain or brain stem is keeping "autonomic" functions going, they are only objects, not subjects - they are its, not thus. Just because heart, lungs and the neurologic and vascular system persists we cannot say a person exists... According to this third view perhaps something like a score of 20 on the Bennett scale of I.Q. would be roughly but realistically a minimum or base line for personal status. Obviously a fetus cannot meet this test, no matter what its stage of growth. <sup>7</sup>

On the question of when does the person come into existence, Fletcher says that Plato's position "that a fetus becomes a person at birth - after it is expelled or drawn from the womb, its umbilical cord cut and its lungs start to work", is the most sensible position.<sup>8</sup>

In practical policy terms Fletcher lists four positions among which one can make a choice but whatever choice one will make will depend on his/her decision about the status and quality of the fetus. The positions are :

1. We can condemn abortion altogether, or at most only justify it to save the pregnant woman's life.
2. We can favour a limited permissiveness to prevent ill health, to prevent defective babies, or to prevent the product of rape or incest.
3. We can approve of abortion for any reason prior to viability.
4. We can approve any and all forms of compulsory pregnancy, making the ending of pregnancies, like their beginning, a private or personal matter.

Fletcher opts for the fourth position:

If we adopt the sensible view that a fetus is not a person there is only one reasonable policy, and that is to put an end to compulsory pregnancy. The ethical principle is that pregnancy when not wanted is a disease - in fact a venereal disease. The truly ethical question is not whether we can justify abortion but whether we can justify compulsory pregnancy. If our ethics is of the humane brand we will agree that we cannot justify it, and would not want to.<sup>9</sup>

In light of his position above, Fletcher criticizes the view that person hood is present from conception in that it is not only empirically unverifiable, but also would cause more harm than good for society. As such it should not be the basis

for social policy. Fletcher's firm position then, is, since the unborn or the fetus is a non person, then it goes without saying that freedom to abort is desirable both as a personal ethic and as a public policy.

In our opinion Fletcher's ethics and style of reasoning reflects at its best the real issue underlying the abortion saga today. Human life has lost its meaning and value. Some sections of the human race have to be sacrificed for egocentric gains. But first before that is done they have to be dehumanized. Hitler did it in Nazi Germany and he was condemned as being inhuman and brutal. Now they are doing it and they are being praised as being considerate and humane. Moreover, if it is true, as Fletcher says, that decisions made on the basis of existing traditional value systems are no decisions at all since such an evaluation is already pre-determined, will it not be true also that the same may be technologically pre-determined? Secondly, concerning his pragmatic argument to the effect that proper decisions are made on the basis of rational calculation of the probable consequences of a given line of action, we ask, "aren't the probable consequences preferable on account of known moral principles"? Thirdly, if we are to go by the position taken by Fletcher above, that we can approve any and all forms of compulsory pregnancy, making the ending of pregnancies, like their beginning, a private or personal matter, then we shall be faced with at least one problem, and that is, if the beginning is free, how does the form of compulsory pregnancy arise?

Norman Geisler articulates his position on abortion in his book *Ethics: Alternative and Issues*. He begins by making a careful distinction between contraception and abortion: Contraception is an attempt to prevent life from beginning; abortion, a much more serious matter, is an attempt to take life after it has already begun.<sup>10</sup>

Geisler sees the unborn baby as not fully human in that is still developing. At best it is a potential human being. However, though the unborn baby is not fully human it is not sub human. It is a work of God which he is building into his

own likeness. The unborn baby according to him is a being with an ever increasing value as it develops. Hence it cannot be compared with an appendix which is an expendable extension of a human body.<sup>11</sup>

To Geisler, abortion is a very serious activity. However, in spite of that, it cannot be equated with murder in that "murder is a man - initiated activity of taking an actual human life " Whereas artificial abortion is a humanly initiated process which results in the taking of a potential human life. So the difference here lies in the fact that in the former it is already, it has become whereas in the latter case it is in the process of becoming. Abortion then according to Geisler is not murder, because the embryo is not fully human. It is human life nipped before it buds. The assumption here being that birth begins the budding.<sup>12</sup>

Geisler observes that there are situations when abortion is justifiable. However, he is quick to point out that abortion is neither the murder of a human person nor a mere operation on or ejection of an appendage of the female body but rather it is a sober responsibility to take the life of a would - be human being. Hence it should only be granted if there is a higher moral principle which can be served.<sup>13</sup> Such grounds are :

1. Abortion for therapeutic reasons. In this case if a decision has to be made between taking the life of the unborn baby or letting the mother die, then abortion is called for. "An actual life (the mother) is of more intrinsic value than a potential life (the unborn).. Being fully human is a higher value than the mere possibility of becoming fully human. For what is has more value than what may be."<sup>14</sup> But that is so according to whose hierarchy of values?

2. Abortion for Eugenic reasons. Among the several eugenic grounds on which abortion have been recommended are mongolism, deformation due to thalidomide or similar drugs, retardation or

other deformities due to measles or other causes. It is Geisler's position that eugenic abortion is called for only when the clear indications are that the life will be sub - human and not simply because it may be a deformed human.



He strongly opposes abortion on grounds of deformation thus:

Deformed humans and even retarded humans are still human. Handicaps do not destroy one's humanity. In fact, they often enhance the truly human characteristics in both the handicapped and those who work with them... a human life, handicapped or not, is worth living and anyone who takes it upon himself to decide in advance for another that his life should not be given the opportunity to develop is engaged in a serious ethical act.<sup>15</sup>

In Geisler's view, from the standpoint of hierarchical ethics mongolism is a justifiable ground for abortion but thalidome deformation due to thalidomide is not.

3. Abortion in conception without consent. According to Fletcher birth is not morally necessitated without consent. In that regard therefore no woman should be forced to carry a child if she did not consent to intercourse. In this case the right of the child to be born despite the evil way in which it was conceived is overshadowed:

The rights to life, health, and self - determination - i.e, the rights to person -hood - of the fully human mother take precedence over that of the potentially human embryo. A potentially human person is not granted a birth right by violation of a fully human person unless her consent is subsequently given.<sup>16</sup>

The question to be asked however is how about if this were to happen within wedlock? Will the wife still be entitled to abort? Will this not open the door for false claims especially in those homes where there are disagreements?

4. Abortion in conception by incest. In this case the person hood of the victim has been violated and the potential person hood of the unborn may be seriously marred by eugenic defects as well. According to Geisler:

Some evil should be nipped in the bud. For allowing an evil to blossom in the name of a potential good (the embryo) seems to be a poor way of handling evil, especially when the potential good (the embryo) may itself turn out to be another form of evil.. incest can be wrong on both ends conception and consequences of it.<sup>17</sup>

Geisler acknowledges however that the question of rape and incest raises difficult questions such as the moral obligation of the mother to give birth to a child conceived in rape.

There are other cases where, in Geisler's view, abortion is clearly not justified. For example, an unplanned pregnancy where the baby is unwanted does not constitute grounds for abortion. "Any child," Geisler argues, "born of intercourse by consenting parties is implicitly willed and as such has the right to live".<sup>18</sup> Other cases include abortion after viability (or birth), abortion for population control and for anticipated deformation.

In the case of problem areas such as grave threats to mental health, socio-economic distress, and teenage pregnancies, Geisler says that when all the relevant factors are taken into account, abortion may be justified in such cases. But all this will depend, on the employment of his hierarchical ethical framework. He argues thus: "all the facts must be weighed and the higher value pursued. The problem is not basically a moral one... but a factual one, i.e, determining as a matter of fact which course of action will realize this higher value".<sup>19</sup>

When all is said and done the question still remains: When we talk of the unborn as a potential human being, as Geisler has done, are we not saying that there is a possibility that that which is developing in the mother's womb, can after all, turn out to be a cat or a maize plant? However, that possibility is naturally, ruled out for a creature can only produce one of its own kind. We can talk of the potency that is in the sperm and the ovum before fertilization but we doubt if we can say the same of a zygote or a fetus. For that which was in potency has now been actualized. It has become actuality. Moreover no abortion decision can be devoid of any ethical implications.

Harold J. Brown, an evangelical theologian observes in his book "*Death Before Birth*" that though the Bible does not contain an explicit prohibition of abortion it does not mean that it supports it. For it does not also contain explicit prohibitions of infanticide, genocide or suicide. According to his observation that was not necessary in view of the biblical prohibition against the taking of innocent human life.

The vital question according to Brown is whether the Bible considers the developing fetus to be human life. If indeed the Bible does consider it as a human being, then the need for a specific prohibition will be unnecessary in that the general commandment against killing covers both - abortion and murder.<sup>20</sup> According to Brown the burden of proof in the debate over the humanity of the fetus rests not with those who are opposed to abortion but rather the pro-abortionists themselves. The buck stops at their arena. He writes thus:

With regard to the morality of killing a developing fetus, it is not enough to say we are not sure it is human. We must be able to say we are sure it is not human. If a hunter were to see a movement in a bush and shoot at it, it would not be enough for him to say he was not sure it was another hunter. He would have to be able to say he was sure it was not. How can we be sure the fetus is not a human being? Clearly we cannot, it is far easier to be sure of the contrary, that it is... "The court" - that is the United States Supreme Court decision of 1973" legalized an action that has a very good possibility of being the killing of innocent human beings.<sup>21</sup>

It is Brown's contention that the subject matter at stake is a crucial issue, a potential human life. Therefore, a responsible decision has to be made and this will require a credible basis for settling the question of humanity of the fetus. Using references of the Hebrew and Greek words used in the Bible in reference to children namely: Hebrew word yeled, as in Exodus 21:22 and Greek word Brephos as in Acts 7:19 and Luke 1:41,44, Brown observes that although the Bible does not contain a philosophical or technical term like "human being", significantly, the Bible does not make a principled distinction between the child after birth and in the womb".<sup>22</sup>

Brown sees abortion as a willful killing of the innocent. And this abomination will receive its just reward at the opportune time. He observes thus:

It is evident that the Bible regards willful killing of innocent human beings as a sacrilege, an offense against the image of God in man. Where such a crime takes place and is not punished, or at least is not confessed with prayer and a sacrifice made for it, God will lay the blame on the whole land. While His judgment may be slow, it is sure.<sup>23</sup>

Even if the position that a fetus is not a human person were to be granted, and hence may legitimately be destroyed, Brown contends that "... it is not necessarily legitimate to destroy any thing that is not human. "You may kill your own dog, if you wish", he argues," but you may not kill it with *cruelty*".<sup>24</sup> According to Brown, the biblical concept of the image of God (Gen. 1:27) is central to the Bible's teaching concerning the dignity and value of human life. And because man is made in God's own image, the shedding of innocent blood pollutes a land and cries out to God for judgment(Num.35:33). Quoting psalm 139: 13, 4; Jeremiah 1:5; Luke 1:44 and Psalm 51:5 as evidence, Brown concludes that on the basis of such texts there can be no doubt that God clearly says the unborn child is already a human being, made in the image of God and deserving of protection under law.<sup>25</sup>

Commenting on Fletcher's pragmatic ethical framework, which he propounded in his book the *Ethics of Genetic Control* to the effect that in cases of abortion decisions the end justifies the means, Brown writes thus:

Make no mistake: the fundamental argument for abortion on demand is pragmatic - it works. The end justifies the means. And the end is utilitarian: the greatest good for the greatest number... In the long run, we believe, everyone will suffer from mass abortion and its consequences. But at the moment it seems to be for the "greatest good of the greatest number" to permit and even to subsidize the destruction of those little ones ... The pro - abortion argument, although often couched in compassionate terms, is essentially a utilitarian argument. Indeed, the "compassionate" angle is highly overworked.<sup>26</sup>

While conceding that the principle of the greatest good for the greatest number can be valid in situations where proper limits and norms are already established, Brown states strongly that such cannot function as an ultimate principle overriding the sanctity of human life. As such it should be restricted on the basis of a firmly principled ethic based on the biblical teaching of the sanctity of human life made in the image of God. Human being whose dignity and worth defies all changes both from within and without.

According to Brown, the American society and western civilization in general is on the path of doom and self - destruction in that it has failed to uphold the very tenets of democracy and protection of human life upon which its constitution and hence civilization is based.

Ronald Reagan in his book *Abortion and Conscience of the Nation*, sees abortion as a misfortune that has befallen the United States people and indeed a darkening of the conscience of the nation. He laments the consequences of the Supreme Court decision of 1973 that had so far claimed the lives of more than 15 million unborn children.<sup>27</sup>

Reagan observes that abortion on demand is not a right granted by the constitution but rather a subjective decision of men who seem to have no regard at all for the value of human life. Abortion, to Reagan, does not just concern the unborn but every one of us. He writes thus: "Abortion concerns not just the unborn child, it concerns every one of us ... We cannot diminish the value of one category of human life - the unborn - without diminishing the value of all human life." Reagan cites as a case in point the 1977 Indiana Courts *Roe verses Wade* decision that allowed the starvation to death of "Baby Doe" because the child had down's syndrome.<sup>28</sup> About his agony and the struggle in his administration to reverse the tide of abortion he writes:

Over the first two years of my administration I have closely followed and assisted efforts in Congress to reverse the tide of abortion - efforts of congressmen, senators and citizens responding to an urgent moral crisis. Regrettably, I have also seen the massive efforts of those who, under the banner of "Freedom of choice", have so far blocked every effort to reverse nationwide abortion - on - demand. <sup>29</sup>

Reagan observes that the talk about abortion is a talk about two lives - the life of the mother and that of the unborn child. "Why else do we call a pregnant woman a mother?", He asks... modern medicine treats the unborn child as a patient"<sup>30</sup> What then is the real issue behind the abortion practice today? Reagan goes to the heart of the matter when he writes:

The real question today is not when human life begins, but, what is the value of human life? The abortionists who reassembles the arms and legs of a tiny baby to make sure all its parts have been torn from its mothers body can hardly doubt whether it is a human being... What more dramatic confirmation could we have of the real issue than the baby Doe case in Bloomington, Indiana? The death of the tiny infant tore at the hearts of all Americans because the child was undeniably a live human being - one lying helpless before the eyes of the doctors and the eyes of the nation. The real issue for the courts was not whether Baby Doe was a human being. The real issue was whether to protect the life of a human being who had Down's syndrome, who would probably be mentally handicapped, but who needed a routine surgical procedure to unblock his esophagus and allow him to eat.<sup>31</sup>

It is Reagan's contention that the abortion saga is no different from infanticide. The two are inter - related. Once one has been granted then the other follow suit. "Later - term abortions, especially when the baby survives, but is then killed by starvation, neglect, or supplication, show once again the link between abortion and infanticide. The time to stop both is now."<sup>32</sup>

The writer urges the American people, and by extension the people of Kenya today, to re-examine their positions both as individuals and as a nation concerning the dignity, value and sanctity of human life. He charges them thus:

Abraham Lincoln recognized that we could not survive as a free land when some men could decide that others were not fit to be free and should therefore be slaves. Likewise we cannot survive as a free nation when some men decide that others are not fit to live and should be abandoned to abortion or infanticide.<sup>33</sup>

According to Mary Warren, in her article "On the Moral and Legal Status of Abortion", the term human or human being should be understood in two senses: the moral sense of the word of 'human' meaning a full fledged member of the moral community and the genetic sense that is the sense in which any member of the species (Homo Sapiens) is a human being, and no member of any other species could be.<sup>34</sup>

It is Warren's contention that while we can talk of all human beings in the genetic sense we cannot do the same in the moral sense. For according to her, the following traits, which to her are more central to the concept of person hood

or humanity in the moral sense, determine who qualifies to be human in the moral sense and hence a subject of rights. Such traits are: (i) consciousness, and in particular the capacity to feel pain; (ii) reasoning; (iii) self motivated activity; (iv) the capacity to communicate, by whatever means, messages of an indefinite variety of types that is not just with an indefinite number of possible contents, but on indefinitely many possible topics; and lastly the presence of self - concepts and self - awareness, either individual or racial or both.”<sup>35</sup>

Michael Tooley in his article “Abortion and Infanticide: Abortion on Demand” arguing along the same line with Warren points out that the terms person and human being should not be used interchangeably for they are not one and the same thing. According to him, we would rather use some expression that is more naturally interpreted as referring to a certain type of biological organism characterized in physiological terms such as “member of the species *Homo Sapiens*.”<sup>36</sup>

According to Tooley an organism can only be considered as a person in the moral sense and therefore having a serious right to life “... if it possesses the concept of a self as a continuing subject of experiences and other mental states, and believes that it is itself such a continuing entity “.<sup>37</sup> And since the fetus has no such characteristics it has no serious right to life and hence can be aborted without any problem.

It is our contention here, as already stated above, that the question of the person hood of the fetus being the reason for the liberal’s support of abortion, is just an excuse rather than a justification for their immoral acts. For how reliable is the use of the concept of viability in determining when the unborn acquires the moral status of a person? Viability itself is not a fixed concept with the constantly changing technology it is a very unreliable concept in defining the time when a baby can exist outside the womb. Furthermore while it is true that man is in the process of developing from the zygote to adulthood, it is

imperative to note here that what is added in the various stages of development is not more manness or humanness, but rather a progressively fuller development, expression, and extension of what is in essence or by nature already present.<sup>38</sup>

And if we were to stretch the concept of viability further we would argue that if dependence on some external support as in the case of the unborn child were believed to render an individual “non-viable” what will become of those who depend on kidney dialysis, and even insulin.<sup>39</sup>

Some pro-abortionist’s of the likes of Judith Jarvis Thomson in her article “A Defense of Abortion” acknowledges this precarious position even concerning the very characteristics of a person that they have laid down. She writes thus “I am inclined to agree, however, that the prospects for “drawing a line” in the development of the fetus look dim.<sup>40</sup> And Mary Warren commenting on the application of the traits which she has listed as central to the concept of person hood, writes thus: “Admittedly, there are apt to be a great many problems involved in formulating precise definitions of these criteria, let alone in developing universally valid behavioral criteria for deciding when they apply.<sup>41</sup>

The pro-abortionist know for sure as Mary Warren confesses that it is not possible to produce a satisfactory defense of a woman’s right to abort without first questioning the person hood of the fetus. She confesses thus:

I will argue that, while it is not possible to produce a satisfactory defense of a woman’s right to obtain an abortion without showing that a fetus is not a human being, in the morally relevant sense of that term, we ought not to conclude that the difficulties involved in determining whether or not a fetus is human make it impossible to produce any satisfactory solution to the moral status of abortion.<sup>42</sup>

But the question we are asking is why this determined effort to use as a basis for a crucial decision something that is not itself watertight or proven beyond any benefit of doubt? Why this blind support of a position even in disregard to new developments that points out the contrary as clearly seen in



Fletcher's position above?

It is our contention here that the question of the person hood of the fetus is just but an excuse, a surface issue under which is a deeper issue, the real driving force behind the pro-abortionist stand. For even if it were to be granted that the fetus is not a human person, this in itself as Jane English herself a pro-abortionist acknowledges in her article "Abortion and the concept of a Person" is so trivial an issue as to suffice as a sufficient justification of the loss of a dear life. As in the case of birds and wild animals of the fields, the non-personhood of the fetus does not imply that you can do to it anything you wish.<sup>43</sup> Human Life being delicate and irreplaceable as it is should always be given the benefit of doubt in a cloudy and misty situation as it is with the question of person hood of the fetus as presented by the pro-abortionists.

### **1.5 THEORETICAL FRAMEWORK**

This study adopts the Deontological ethical theory as its guide and basis. Unlike the consequential or teleological ethical theories such as utilitarianism that gauge the worth of actions by their ends and consequences, the Deontological theory holds that features of some acts other than their consequences make them right or wrong. Consequently, some acts are wrong and others are right independent of their consequences.

Emmanuel Kant in his monistic Deontological approach proposes a single "Categorical Imperative" through which he tested all maxims of action. In his strictly philosophical ethical theory Kant completely rejected the utilitarian idea that human acts get their moral quality from their consequences. for such a theory, if accepted well, according to Kant, reduce morality to a technique and will depersonalize man. It is Kant's position that we should always treat the other human person as himself or herself but never as a mere means. Goodness, Kant believes, is centered wholly in a good will - that is, in the uprightness of the attitude with which one acts. According to him then, our action is morally good if

it springs from a will bent on doing what we ought to do.

But what ought we to do? It is Kant's contention that whenever we act, our action implies a general rule. Hence his fundamental moral maxim to the effect that we should always act in such a manner that we can rationally will our acts as a universal law - that is a system of universal laws that we would really want everyone else to follow consistently.

## **1.6 HYPOTHESES**

1. That the justifications put forward by the proponents of abortion are untenable.
2. That the fetus is a human person.

## **1.7 METHODOLOGY.**

This study was based entirely on library material. Among the literature that was consulted are books, periodicals, journals, and newspaper cuttings. Hence this was a research based entirely on secondary data. In order to accept or reject the above hypotheses this study undertook to do the following:

In our organization and compilation of the material collected we first of all presented the pro - abortion stand and the evidence - scientific (medical and biological), socio-economic factors among others presented in support of it.

Secondly we provided counter arguments against the pro-abortion stand - scientific (biological and medical), psychological and theological (albeit by way of passing).

Thirdly the pro- abortion arguments and counter arguments were then subjected to a critical analysis and examination in light of our hypotheses . It is this critical examination that gave us direction on whether to accept or reject them. In light of the same we accepted our two hypotheses and consequently, we recommended for the strongest condemnation possible the pro-abortionist's position. In addition we sought to provide viable options and actions to the pro-

abortion's position.

### **CONTRIBUTION OF THE STUDY**

This study intends to make the following contributions:

- i. It will be used as a reference text for ethics in our learning institutions.
- ii. It will be used as a resource material by churches and other relevant organizations.
- iii. It will also be used as a resource material by government policy makers.

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38. Ankerberg. *When Does Life Begin*, p. 18.
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CHAPTER 2IS THE FOETUS A LIVING PERSON? THE PRO-  
ABORTIONIST POSITION.

In this chapter we propose to examine and criticize the pro-abortionists core justification for abortion: the argument that a fetus is not a person, and to set forth and defend our own position to the effect that contrary to the pro-abortionist's claim; the fetus is a human person.

As we carry out this exercise two questions stand out at the back of our mind namely: Is it ever right to have or perform an abortion, and if so, under what condition? and if not, why? Secondly, what are the ethical boundaries of the inviolability of life? Our concern here is not only confined to the provision of rational counter arguments to the pro-abortionist's claims but also involves finding out and stating clearly what ought to be the case with regard to the question of person hood of the fetus in an attempt to find a solution to "the suffering of persons of sensitive conscience who are in anguish to do what is right but do not see clearly what the right course would be."<sup>1</sup>

We reject outrightly the subjectivists' attitude with regard to the question of abortion. To argue that the rightness or wrongness of abortion is solely determined by individual decisions or and that moral decisions are relative to particular cultures and societies is unacceptable and self-defeating. Furthermore, as Germain Grisez points out:

When we say that abortion is right or wrong, however, we seem to claim more than merely to express a wholly relative or subjective opinion. We think that those whose moral attitude is different from our own really disagree with us, and yet disagreement would be impossible if complete subjectivism or relativism were correct. In fact, it is difficult to see why anyone would ever try to argue the ethical issue if this attitude were correct.<sup>2</sup>

Cultural relativism may well be true, though that it is true is not as obvious as it might appear at first glance. For example, suppose one culture approves of abortion and another doesn't, do they have moral standards relative to their upbringing or are they each in different ways subscribing to a universal moral norm? It should be noted, however, that there is something over and

above any culture e.g. opposition to the killing of an innocent person is the meeting point to the pro-life and pro-choice groups . These people who are doing different things and are of different persuasions could at one time subscribe to one universal norm/moral judgement which is not tied to or dependent on a particular culture.

## 2.1 IS THE FETUS A HUMAN BEING?

The question we are asking here is, is the unborn or the developing organism in the mother's womb at whatever stage of development: whether zygote, embryo, or fetus a human being?

But before we proceed with our discussion of the question before us, it is imperative that we make a distinction between two questions on the above subject: the factual question settled by biology and ; the philosophical or theological question. These questions, as Germain Grisez points out, should never be confused especially if we want to succeed in giving the above question the care that it deserves. The response to the later depends to a large extent on one's whole world view and sense of values. The factual question is; at what point in the reproductive process does the human individual originate. The philosophical question is: should we treat all living human individuals as persons, or should we subject them to certain pre-determined criteria which they must meet in order to qualify as human persons?<sup>3</sup>

### 2.1.1 WHEN DOES HUMAN LIFE BEGIN?

Whereas our focus in this chapter is on the philosophical question above, particularly the pro-abortionist's position on the same, it is important here that we address, briefly though, the factual or biological question first as a way of laying down a foundation for the task before us. For we must first and foremost, confirm the presence of the individual human lives before we talk about the issues of granting or denying them person hood.

Edward C. Freiling, in a draft paper that he prepared and presented to the members of scientists for life, wrote the following concerning the question before us:

No one would think of calling a plumber when his T.V. set breaks down or asking his pharmacists to defend him in court. But when people want to know when life begins they ask their minister, a philosopher, or a physician. These men are all experts but they are wrong experts. Biology is the science of life. The expert on the subject of life is the biologist. Yet hardly any one has sort his counsel. Science not only has an answer to the question of when life begins, it has the answer.<sup>4</sup>

As we have already stated above the answer to the factual question as reiterated above by Freiling is indeed a reserve of the Biologists. We will do well then to consult them on this matter. And concerning the answer that science has to the question before us, Professor Jerome Le Jeune, when asked whether he believes that individual life starts from the first moment of conception had the following to say:

That is a very good question Sir, and my answer is yes. And the reason is, if I do not say yes, I could not teach genetics. This question is never raised except when you want to discard an embryo. Never does an expert on mice, cats, or cattle ask himself at what moment does begin a mouse, or a cat or a cattle (sic). All of them know that they do begin at fecundation and they teach that to their students. I just repeat that no people working with mice or with cattle or with any living system will wonder at what moment does occur the beginning of the cat, the beginning of the fly. Everybody knows that it is at fecundation. It is only when they question what kind of respect should they have for that tiny new being that they discuss beginning but scientifically there are no discussions. The beginning is at the beginning. Nobody discusses the mousification of a mouse.<sup>5</sup>

Professor Le Jeune's observation goes into the heart of the matter. The facts are known. They can only be disputed by people who have other motives. The issue is a closed chapter with no room for whimsical and subjectivistic interpretations. John Ankerberg sums up the matter ably thus:

What modern science has concluded is crystal clear - human life begins at conception. This is a matter of scientific fact, not a matter of philosophy or speculation, opinion, conjecture, or theory. It is a matter of simple truth determined by scientific observation and analysis. Today, the evidence that human life begins at conception is a scientific fact so well documented that no intellectually

honest and informed scientist or physician can dare to deny it.<sup>6</sup>

While it is true as we have stated above that the question concerning the beginning of individual human life is settled biologically matter, that does not automatically mean that all avenues to the practice and legitimization of abortion are sealed once and for all. For even if it is granted that in fact new individuals begin at conception, still it may be asked whether the fetus should be regarded as a person. Is the fetus a person only if it could survive if separated from the mother or does it become a person only sometime after birth? These and other related question have been raised by the proponents of abortion and is to the examination of their position concerning this question of the person hood of the fetus that we shall now turn to.

### **2.1.2 CONCEPT OF PERSON: IS THE FETUS A HUMAN PERSON?**

It is our belief that the mustard seed of the abortion practice as we are currently experiencing was planted in the midst of humanity the time when this question started to appear in the minds and hearts of mankind. The reason behind this unfortunate development is to us, the real issue underlying the abortion practice and debate today.

There are three main positions that people have taken on this issue namely:

1. that the human person begins at conception
2. that the human person begins at some point during the period of gestation
3. that the human person begins at birth or at some later point after birth?

The answer that we give to this question is very crucial for in it lies the survival or the doom of humanity. It has far reaching ethical and legal implications. Clifford Bajema observes correctly:



The legal implications of this question are far reaching. The Fourteenth Amendment to the Constitution of the United States says: Nor shall any state deprive any person of Life, Liberty, or Property without due process of law, nor deny to any person within its jurisdiction that equal protection of the laws. "The only way that abortion can be allowed by law, then is if it can be proven that the zygote - embryo - fetus is not a person. The United States Supreme court was faced with this question recently: is the unborn a human person entitled to the protection of the Fourteenth Amendment, or not? Their "Non-answer" was that the term "Person" as used in the constitution "has application only postnatally."<sup>7</sup>

Those in favour of abortion take the position that the fetus does not look human and does not have full human characteristics, such as fully developed vision, human size and shape, the power of thought, or self - sufficiency, And in addition, it lacks independence in that it cannot live outside the uterus, and hence it is not a baby. Consequently, since it is not human or a human person, there is no harm done by liquidating it.

According to Marry Warren in her article " On the Moral and Legal Status of Abortion", it is not possible to establish conclusively and convincingly that abortion is morally permissible even on the assumption that a fetus is an entity with a full fledged right to life. It is Warren's contention , therefore, that for that to be possible the question of whether or not a fetus does have the same right to life as a [ more fully developed person ] human being cannot be avoided. Warren, concedes that once we allow the assumption that a fetus has full moral rights, it becomes an extremely complex and difficult question whether and when abortion is justifiable. It is her conclusion therefore, that a fetus is not a person, and thus does not have a full fledged right to life <sup>8</sup>

A satisfactory solution to the problem of the moral status of abortion, according to Warren, can only be produced by answering the question ; "how are we to define the moral community, the set of beings with full and equal moral rights, such that we can decide whether a human fetus is a member of this community or not?" What sort of entity, exactly, has the inalienable right to life, liberty, and the pursuit of happiness <sup>9</sup>

It is Warren's position that the term human or human being should be understood in two senses; the *moral* sense of the word 'human' meaning a full fledged member of the moral community and the *genetic* sense - that is the sense in which any member of the species [ homo sapien ] is a human being, and no member of any other species could be.<sup>10</sup>

On the basis of the above distinctions Warren goes on to define the moral community as a community that consists of all and only *people*, rather than all and only human beings. This to her is a self-evident fact whose self-evidence she demonstrated by considering the concept of person hood to see what sorts of entity are and are not persons, and what the decision that a being is not a person implies about its moral rights. In her analysis of the said concept, Warren proposes in her article what she calls, a rough and approximate list of the most basic criteria of person hood; and some idea of which, or how many, of these an entity must satisfy in order to properly be considered as a person. The list of these central traits is as follows: 1. consciousness -- of objects and events external and/ or internal to the being , and in particular the capacity to feel the pain; 2. reasoning --the developed capacity to solve new and relatively complex problems; 3. self-motivated activity -- activity which is independent of either genetic or direct external control ; 4. the capacity to communicate, by whatever means, messages of an indefinite variety of types, that is, not just with an indefinite number of possible contents, but on indefinitely many topics; 5. the presence of self-concepts, and self-awareness, either individual or racial or both.<sup>11</sup>

In her response to a question touching on the issue of fetal development and the right to life, that is , "how far advanced since conception, does a human being need to be before it begins to have a right to life by virtue of; not of being fully a person as yet, but being like a person?" she writes thus:

We need not attempt a detailed consideration of the moral rights of organisms which are not developed enough, intelligent enough, etc., to be considered people, but which resemble people in some respects. It does seem reasonable to suggest that the more like a person, in the relevant respects, a being is, the stronger is the case for regarding it as having a right to life, and indeed the stronger its right to life is.<sup>12</sup>

According to Warren there is no substantial difference in terms of personhood between a fetus in the third trimester and a small embryo. Concerning the same she writes thus: "It is *somewhat* more person-like; it can apparently feel and respond to pain, and it may even have a rudimentary form of consciousness, insofar as its brain is quite active. In spite of these characteristics, Warren is still of the view that it seems safe to say that it is still not fully conscious in the way that an infant of a few months is, and that it is still lacking in terms of central traits of personhood listed above. Consequently, therefore, she concludes:

Thus in the relevant sense, a fetus, even a fully developed one, is considerably less person-like than is the mature mammal, indeed the average fish. And I think that a rational person must conclude that if the right to life of a fetus is to be based upon its resemblance to a person then, it can't be said to have any more right to life than, let us say a newborn puppy [which also seems to be capable of feeling pain, and that a right of that magnitude could never override a woman's right to obtain an abortion, at any stage of her pregnancy].<sup>13</sup>

Going by the above quotation, Warren's support for abortion at any stage of fetal development can be understood. It is her firm conviction that no legal restrictions for abortion should be entertained at any one time.

On the issue of potential personhood and the right to life, Warren is of the opinion that we cannot directly conclude that the fact that an entity is a potential person is itself a *prima facie* reason for not destroying it and that it therefore has a right to life by virtue of that potential. According to her neither a fetus' resemblance to a person, nor its potential for becoming a person provides any significant right to life. In light of this therefore, Warren believes, a woman's right to protect her health, happiness, freedom, and even her life, by terminating an unwanted pregnancy will always override whatever right to life it may be

appropriate to ascribe to a fetus, even a fully developed one.<sup>14</sup>

But while Warren's arguments may apparently appear very convincing at first glance, a closer look and examination of the same will reveal the following shortcomings. First, in the presentation of her position on the moral and legal status of abortion, Warren sets off her inquiry on a prejudicial note: that the fetus is not a person. The rest of the article is just but a rubber stamping of her pre-held position. And since Warren, like other pro-abortionists are challenging the status quo- that is the long held and common understanding of humanity and the issue of abortion, we would have expected her position to arise out of her inquiry and not before her inquiry.

The pro-abortionists know for sure, as Warren confesses, that it is not possible to produce a satisfactory defense of a woman's right to abort without first questioning the person hood of the fetus. Her confession runs thus:

I will argue that, while it is not possible to produce a satisfactory defense of a woman's right to obtain an abortion without showing that a fetus is not a human being, in the morally relevant sense of that term, we ought not to conclude that the difficulties involved in determining whether or not a fetus is human make it impossible to produce any satisfactory solution to the moral status of abortion.<sup>15</sup>

Yes it is not possible, she says, but since it is something that has to be done by all means it seems, a solution, a particular one, has to found. The fetus must die!!!

Secondly, Warren's distinction between a human being in the genetic sense and moral sense is in itself suspect. This distinction it seems was brought about by her pre- held position concerning the status of the fetus. For this is the only way through which she could push through her set mind. Furthermore, the very criteria she has endorsed as a requirement for person hood, is itself shaky, and if it is stretched to its logical conclusion to cover all people from the one day old infant to the senile the conclusions will be nothing but absurdities. On the certainty and applicability of the traits which she has listed as central to the concept of person hood, she herself has confessed concerning the problems involved thus: "admittedly, there are apt to be a great many problems involved in

formulating precise definitions of these criteria, let alone in developing universally valid behavioral criteria for deciding when they apply.<sup>16</sup> And if that is the case, how then shall we be expected to accept it especially if our acceptance means doing away with a precious life?

Thirdly, as stated above, when Warren's arguments and criteria of personhood are applied to the rest of humanity apart from the fetus, we arrive at conclusions that are surprisingly even uncomfortable to her and absurd for that matter. Let us take, for example, the case of infanticide. Although by her criteria newborn infants would not have a significant right to life and hence can be killed, Warren, in a postscript to her article, defended her view against the objection that it would justify infanticide by putting forward the claim that infanticide would still not be permissible, so long as there are people who are willing to care and provide for the well-being of such infants.<sup>17</sup> But the big question is: What about if there are no people of that kind? This is what we call inconsistency of the first order. We would have expected her to swallow this bitter pill which she has manufactured for herself. In fact contrary to Warren's claims, and in expression of a sign of consistency, Michael Tooley, also a pro-abortionist like Warren, accepts this logical conclusion, when he remarked that since a newborn baby doesn't possess a concept of a self as a continuing subject of experiences and other mental states, together with the belief that it is itself such a continuing self as his criteria of personhood requires, then, "... If so," he argues, "infanticide during a time interval shortly after birth must be morally acceptable."<sup>18</sup>

Fourthly, when Warren talks about potential personhood, when she argues that neither a fetus' resemblance to a person, nor its potential for becoming a person provides any basis for the claim that it has any significant right to life, does she mean that the fetus can develop into a chimpanzee human being or a chimpanzee *per se*? Her vague criteria above notwithstanding, her understanding of potentialities and capacities entailed in human beings, we believe is flawed.

First, scientists tell us that a fertilized ova contains a genetic code wherein is all that the fetus will grow to become biologically. Hence the question of the humanity of the fetus or human hood is sealed right from the very beginning and even before as the suppliers of the two materials being human beings they had already predetermined the kind of life that will come out of the union. Secondly, we would want to point out here that the fetus or a child's mind is not a *tabula rasa* as the pro-abortionists seem to understand, and as some, of the like of John Locke have argued. We want to state here that a child's mind right from the time of conception possesses the necessary elasticity to absorb all future phenomena to be encountered in life. The fact that a fetus doesn't exhibit some characteristics that are identified with grown up human beings cannot be taken to mean that it cannot do so rather its appropriate time for doing so has not come yet. Professor Joseph Nyasani goes to the heart of the matter thus:

.... The infant's mind is as organized as an adults' one except that it is suited to the circumstances that hold for its tender age. Indeed, it is organized right from conception and possess the necessary elasticity to absorb all future phenomena to be encountered in life. This is certainly an inevitability since there would be no satisfactory explanation as to why the infant's mind should develop and function normally at a later age if it was not constituted, *ab initio*, that it should so function. Again, it should be reiterated here that the infant's mind possess an inexhaustible capacity just like that of an adult except for lack of an inundation of crowning cognitive intuitions.<sup>19</sup>

In light of the foregoing discussion we are of the position here that an individual human being is not the end product of a process in which an entity with potential to become a human being acquires such by degrees. But rather that humanness is a given with much potentiality for positive and negative development in the different aspects. Thus whenever we talk about the abortion of the unborn at whatever stage of development, we are actually talking about an actual man with potency which here means the capability of developing in accordance with his given essence rather than about a potential man, (like an egg or sperm) with the possibility of bearing a man, but also without the inevitability of becoming such.<sup>20</sup> It is true that man is in the process of

developing - from the zygote - embryo - fetus - baby - adult, but it is worth noting here that:

... what is added in the process is not more manness or humanness, but rather a progressively fuller development, expression, and extension of what is in essence (by nature is already present. The progression is not from part man (the fetus) to full man (the child after birth), but rather from full man to the full expression of man. Such progression does not end at birth but continues in one sense or another until the moment of death.<sup>21</sup>

It is important to point out here that even if we were to grant that the adult's life must be given priority over that of the fetus, because the fetus's human abilities are latent in potentiality, we can still argue out a case for the fetus. That as a matter of fact, the life of an adult is of less worth than the fetus in that the adult has less time left to live, and all that he has gained in actualization he has lost in possibility. Furthermore, most of what he could have been has been sacrificed in his becoming what he is, and much that he has been can never be recaptured. And the most painful part is that while the fetus life is that of development and increasing vitality, the adult's life is a process of deterioration and waning vitality as he/she decline towards death.<sup>22</sup>

What then shall we say concerning Warren's arguments and position on the subject of abortion and the person hood of the unborn? It is our position that her arguments and attempts to exclude the unborn from the circle of protection are inconclusive. Consequently, we are left with no other option than to say that the unborn is a human person and hence a subject of rights, and in this particular study, the right to life.

Michael Tooley in his article "Abortion and Infanticide: Abortion on Demand" arguing along the same line with Warren points out that the terms person and human being should not be used interchangeably for they are not one and the same thing. It is Tooley's contention that, we would rather use some expression that is more naturally interpreted as referring to a certain type of biological organism characterized in physiological terms such as a "member of

the species Homo Sapiens.” Consequently then, the basic issue becomes: when is a member of the species homo sapiens a person?<sup>23</sup> According to Tooley an organism can only be considered as a person in the moral sense and therefore having a serious right to life “... if it possesses the concept of a self as a continuing subject of experiences and other mental states, and believes that it is itself such a continuing entity”<sup>24</sup> And since the fetus has no such characteristics it has no serious right to life and hence can be aborted without any problem.

Tooley treats the term “person” as a purely moral concept devoid of all descriptive content. Hence in his usage when one says that X is a person he is saying that X has a (serious) moral right to life. It is not just a right to life but a moral right to life.<sup>25</sup> The usage of the terms “person” and “human being” interchangeably according to Tooley is unacceptable and regrettable and unfortunate. This is so because, first and foremost, it tends to lend covert support to anti-abortionist positions in that given such usage one who holds a liberal view of abortion is put in the position of maintaining that the fetus, at least up to a certain point, is not a human being; secondly the usage is unhealthy philosophically, for, as he argues, “if one says that the dispute between pro- and anti-abortionists centers on whether the fetus is human, it is essentially a disagreement about certain facts, a disagreement about what properties a thing must have in order to have a right to life.”<sup>26</sup> Towards the end of his article Tooley summed up his portion thus:

To sum up, my argument has been that having a right to life presupposes that one is capable of desiring to continue existing as a subject of experiences and other mental states. This in turn presupposes both that one has the concept of such a continuing entity and that one believes that one is oneself such as entity. So an entity that lacks such a consciousness of itself as a continuing subject of mental states does not have a right to life.<sup>27</sup>



The crucial question, however, is: How certain and adequate is Tooley's position? How about his analysis of the self-concept requirement and the concept of right? It is our position in this thesis that human life is a precious life and an irreplaceable one for that matter. This therefore means that if anyone is to take it away the grounds for doing so must not only be convincing but must also be beyond any point of doubt. This doesn't seem to be the case with Tooley's argument. First and foremost, on the question of whether his requirement for having a right to life is not only necessary but also sufficient to ensure that a thing has a right to life, Tooley himself seems uncertain. The much that he could say is: "I am inclined to an affirmative answer". His uncertainty is confirmed by his underation of the issue thus: "... However, the issue is not urgent in the present context since, as long as the requirement is in fact a necessary one, we have the basis of an adequate defense of abortion and infanticide."<sup>28</sup> But as stated above we are not only looking for an adequate basis but rather a sure and sufficient basis for our actions. Which in this particular statement of Tooley is lacking.

Concerning his conceptual analysis of right, Tooley admits that there are situations that can interfere negatively with the claim that, if a person doesn't desire something, one cannot violate his right to it namely: (i) situations in which an individual's desire reflect a state of emotional disturbance; (ii) situations in which a previously conscious individual is temporarily unconscious; (iii) situations in which an individual's desires have been distorted by conditioning or by indoctrination.<sup>29</sup> On his attempts to revise his analysis to accommodate the above situation he confesses thus:

Precisely how the revised analysis should be formulated is unclear. Here it will be sufficient merely to say that in view of the above, an individual's right to X can be violated not only when he desires X, but also when he would now desire X were it not for one of the following: (i) he is in an emotionally unbalanced state; (ii) he is temporarily unconscious; (iii) he has been conditioned to desire the absence of X.<sup>30</sup>

We may be accused here of asking too much from the pro-abortionists of the likes of Michael Tooley, but we believe that is not the case. It is the pro-abortionists who have challenged the status quo we are only asking them to give as a necessary and sufficient ground for their challenge and hence their support of abortion. Something which Tooley's argument above doesn't seem to have done. Furthermore whilst Tooley is denying that there is no disagreement in what he is calling a factual question, there is indeed a disagreement as evident in Mary Warren's position above

The pertinent question we are asking is: why this determined effort to use as a basis for a crucial decision that involves the exclusion of some section of humanity from the circle of protection, a criteria that is not in itself watertight or proven beyond any benefit of doubt? Why this blind support of a position even in total disregard to new developments that points out the contrary as clearly seen in Fletcher's position below:

Humans without some minimum of intelligence or mental capacity are not persons, no matter how many of their organs are active, no matter how spontaneous their living processes are. If the cerebrum is gone, due to disease or accident, and only the mid - brain or brain stem is keeping "autonomic" functions going, they are only objects, not subjects - they are its, not thus. Just because heart, lungs and the neurologic and vascular system persists we cannot say a person exists... According to this third view perhaps something like a score of 20 on the Bennett scale of I.Q. would be roughly but realistically a minimum or base line for personal status. Obviously a fetus cannot meet this test, no matter what its stage of growth.<sup>31</sup>

As we have seen above in our literature review, Fletcher adopts Plato's position on the status of the fetus in regard to the question of person hood. That a fetus becomes a person at birth after it is expelled from the womb, its umbilical cord cut and its lungs start to work.<sup>32</sup> Consequently therefore, Fletcher criticizes the view that person hood is present from conception in that it is not only empirically unverifiable, but also would cause more harm than good for society. As such, he argues, it should not be the basis for social policy. Fletcher's position then is that the freedom to abort is both desirable both as a personal ethic and

as a public policy

Dr. Gardner, a consultant obstetrician and gynecologist, expresses a point of view about person hood quite similar to Fletcher's thus:

... When a spontaneous miscarriage occurs parents may grieve, but we do not feel that we have lost a child. From time to time obstetricians have the distress of delivering a still born baby. We may have felt this fetus kick under our examining hands, we may have listened to its heart beat repeatedly over four months, yet when the tragedy occurs we do not feel, " there is a child who has died," but rather, "Here is a fetus which so nearly made it "<sup>33</sup>

And concerning the time when the fetus attains or acquires person hood Gardner writes:

My own view is that while the fetus is to be cherished increasingly as it develops we should regard it's first breath at birth as the moment when God gives it not only life, but the offer of life... This surely is the original biblical teaching that God took a fully - formed man and breathed into his nostrils the breadth of life, and thus the man becoming a living creature - Adam.<sup>34</sup>

Hence Gardner's position which is based on his understanding of Genesis 2:7 is that the child's first breath is a bridge from potential human life to actual human life.

But the big question is: while condemning the view that person hood is present from the time of conception as empirically unjustifiable, can he himself, give us an adequate and sufficient empirical justification concerning the substantial physical and biological difference between a fetus one hour before it is born and one hour after birth save the fact that one is still in the womb and the other is outside? Can he justify for sure his condemnation and unfortunate denial of person hood to the unborn as evident in the quotation above? We believe that he cannot do it conclusively.

Elsewhere, Fletcher suggests that the sound solution to questions about abortion would be to deny that the right to life claimed for a fetus is valid, because, according to him, a fetus is not a moral or personal being since it lacks freedom, self-determination, rationality, the ability to choose either means or ends, and knowledge of its circumstances.<sup>35</sup>

This criteria is no different from the ones presented by Tooley and Warren above. Therefore, whatever response we have given above to the said authors will also apply here. However, Fletcher went beyond them, in his presentation of a dualistic approach to the problem of abortion by stating that personality consists exclusively in the aforementioned factors and that the human body is not included in the person. According to him, the physical nature - the body and its members, or organs and their functions are part of what is over against us and if we live by the rules and conditions set in physiology or any other it we are not men, we are not thou.<sup>36</sup>

Fletcher's position, just as we have stated above, if stretched to its logical limits will have adverse implications not only on the unborn but even the other members of the human community. We concur with Grizez in his able and correct observation thus:

"The implications of Fletcher's dualism clearly extend beyond abortion. An infant just after birth, someone very gravely retarded, an insane person, or a person in a coma also seem to lack" freedom, self-determination, rationality, the ability to choose either means or ends, and knowledge of its circumstances". Fletcher himself has drawn the implication that euthanasia should be permitted. He holds "that a patient who has completely lost the power to communicate has passed into a sub moral state, outside the form of conscience and beyond moral being" There is a rule against medical homicide, but Fletcher asserts it admits of exception, adding "If one can be made at the beginning of life (abortion) why not also at the end of life (euthanasia)."<sup>37</sup>

It is worth pointing out here that while Fletcher's position as seen in the quotation above robs even the mentally insane of their person hood, we are of the contrary view that mental incapacitation or lack of some minimum of intelligence whatever that is, does not deny or strip one of his person hood. Professor Nyasani concurs with us concerning the insane in his exposition of the mission of mind in the world thus:

Indeed the mind's principal mission in the world is to impart order to the physical objects or at least to render them different from the previous state or simply to reshuffle them. This vital mission is executed by each mind whether healthy or unhealthy. It may sound strange to argue that even a mad person strives to effect order in his own immediate surroundings. The order may appear grotesque to ordinary healthy minds but is order nonetheless to that particular effecting mind..... The fact that the deranged person indulges in abnormal acts that appear strange and eccentric to us, does not take away the capacity to organize or order his own *umwelt* according to his peculiar circumstances. After all, if we consider that any effected order by any one particular mind (normal or abnormal) cannot hold uniformly and neither can it be identical throughout the order - imposing minds, although there may be appreciable accidental similarities, it is easy to appreciate the order - oriented mission of every mind in the world 38

We want to state here that it is the capacities rather than the factors enumerated above by Fletcher that constitute the person, since otherwise, as Grisez argues, we would become non-persons every time we go to sleep. If indeed we were to argue that an infant is a person in virtue of its capacities which will in due course develop, the fetus too will fall in this category for it too has some sort of consciousness, as is evidenced by its reaction to sensory stimuli.<sup>39</sup> It is worth pointing out here that the capacities listed above by Fletcher: freedom, rationality, self-determination among others are not discrete entities like solid blocks, that are either given or not. On the contrary, these capacities appear in different persons in varying forms and degrees. For as far back as our memories extend we find something of these abilities in ourselves though doubtless in a simpler form and in a lesser degree than we now enjoy. This in itself should be a pointer to us to the effect that this progression didn't begin suddenly at some point. Consequently therefore, we would do well to think of it as continuing backward beyond the memory barrier and even to the very beginning of our existence.<sup>40</sup>

And if indeed it is the case that our mental capacities like our bodily organs, came about by a continuous process of development from a dynamic starting point, then we would be right in concluding that since, our vital source already has the imprint dynamism to develop the highest human capacities, this

“development”, as Grisez correctly observes, “is not merely growth but differentiation: the development is not the application of blueprints to material, but a vital process involving constant interplay between the activity of the developing organism and the many influences of its total environment.”<sup>41</sup>

In the *Webster's English Dictionary (3rd ed.)* the concept person is said to mean: an individual human being; a human being as distinguished from an animal or thing (can inherit under a will): the individual personality of a human being; a human being, a body of persons, or a corporation or other legal entity that is recognized by law as the subject of rights and duties; and a being characterized by conscious apprehension, rationality and a moral sense.<sup>42</sup> And in *A supplement to the Oxford English Dictionary (Vol,III)*, the concept person, among other usages, is said to be a substitute for a man.<sup>43</sup> In the same place the word person less is defined as unrecognized as a person; desired individuality. An interesting remark which we feel is worth quoting here is appended to the above explanation thus:” The slaves of ancient empires were not recognized as ‘persons’ but they built the hanging gardens of Babylon and her mammoth building; and the material glory of Athens”.<sup>44</sup>

Our position in this thesis is based on the usages of the concept ‘persons’ as expressed above in the aforementioned dictionaries and it is with that understanding in mind that we are also making an observation to the effect that, the fetus is being denied person hood and yet it is from this same fetus that the very people who are denying it person hood grew out of. What an irony!!!

Professor Jerome Le Jeune when asked about his position on the person hood of the unborn, said that as far as he could understand the use of the English word, “human being” a child is indeed a human being from the time of fertilization and remains so till birth. In that regard he argues:

... because if you start with the egg of a chimpanzee, if you don't look at the chromosomes, it is very much like, when it divides, the medulla of a human being. But every one knows that a human being will never emerge from a chimpanzee being. We are at the very beginning either a chim or a man and never can a chimp become a man or a man become a chimp<sup>45</sup>

This indeed is the rock bottom fact. A human being is a human person not because of anything else save the fact that he is conceived of other human beings. This organism that is developing in the womb, the new human being is not a part of the mother as Le Jeune points out because genetically it is distinct from the moment of fertilization in that half of the patrimony is carried by the sperm, that is the genes of the father, so the child has only one half in common with his mother and the genetic combination, the genetic make up of the child, as Le Jeune's argues, is a new one which has never been produced in the history of humanity.<sup>46</sup>

Concerning the nurturing of the child by the mother while in the uterus, Le Jeune describes succinctly the process thus:

... It's a very complex system but the first step is not in the hand of the mother. It is in the hand of the tiny human being. At around five days after fecundation, this microscopic human being, one millimeter in diameter, sends a chemical message which forces the yellow corpus luteum inside the ovary to produce certain hormones so that the menses of the mother will be suppressed. It is in fact the baby which suppresses the menses of the mother and who takes over, if I can say, and it does to her what it likes.... Now a little later he will bury himself inside the mucosa of the uterus and develop a kind of apparatus that I cannot better describe as a cosmonauts suit which would make a little bulb which will have a little cord which will go to the big machine and the big machine would be able to take nutrients from the wall of the uterus through a special respiratory system. And it is the fetus who built this extra thing, thus extra surrounding of him...the mother just provides by her blood all the nutrients which can go through the membranes so that the baby can be fed, but the whole machinery, I would say the whole space capsule he has, is built by the fetus.<sup>47</sup>

The above elaborate descriptions of the developmental process of the fetus in the mother's womb brings out very clearly the exact nature of relationship between the child in the womb and the mother. The two are separate entities save the fact that one is sojourning on the other one's territory. This living in somebody else's compound should not be taken to mean

that the developing child is part and parcel of the mother's womb. This is so because even in our daily lives we are all dependent on one another in one way or another. We eat food that we have not planted, we wear clothes that we have not sown, we use other people's vehicles to reach our destination, we breath air that we have not manufactured and so on and so on. Can we therefore argue from this that we are parts of one another and therefore we lack independence of any kind?. We believe we shall not. But why do we want to do so with regard to the fetus?

Commenting on his nineteen years of research and clinical experience on the care of the unborn children, professor Sir Albert Liley writes thus:

Because of the facts uncovered by my research, as a doctor I have no alternative but to regard the unborn child as my patient, and to protect and respect his life as I would the life of any other patient. From my clinical experience, I am convinced that unborn children are individuals and human beings, who should have legal protection, and who are capable of receiving and responding to medical care. In my opinion, therefore, abortion is abhorrent, and represents a policy which would be regarded as immoral and criminal with a patient in any other age group. For that reason I have been disturbed by the developments in favour of liberal abortion policies.... In particular it seems to me that the facts relating to the unborn child are being distorted... So as to give the public the impression that the fetus, particularly in the first twelve weeks, could hardly be treated as a child... As any high school biology text - book will tell us, life begins at conception and ends at death. In between, life does not develop it is simply there.<sup>48</sup>

As expressed above by professor Liley, the facts have been there, are there, and are known. But in our opinion humanity is already convinced that some section of its own race is not fit to live. No amount of knowledge or miraculous findings in the scientific fields it seems, will be able to reverse this decision. It is unfortunate but it is real: Human life, as human life has lost its meaning, dignity and value. This cannot be expressed in any other clearer way than in professor Liley's words. And we quote extensively:

Our generation is the first ever to have a reasonable complete picture of the development of the human from conception. In 1930 the liberation of a human egg from the ovary was first observed. In 1944, through a microscope, was seen the union of the human sperm and ovum. In the 1950s the events of the first six days of life were described, those critical first steps in a prodigious journey. In the 1960s three further advances occurred. First, as I have said, the direct diagnosis and treatment in a baby before birth became a reality. Secondly; the physical environment and physiological behavior of the fetus became accessible to study. Thirdly, the genetic code was cracked,



the alphabet established in which is spelled out the instructions which guarantee that every human is unique and different from every human that ever was or ever will be. These 40 years of discovery put an end to centuries of guesswork and controversy of ideas of generation, animation, enforcement, encapsulation.<sup>49</sup>

Unfortunately, however, Liley laments:

For a generation which reputedly prefers scientific fact to barren philosophy, we might have thought that this new information would engender a new respect for the welfare and appreciation of the importance of intrauterine life. Instead, around the world we find a systematic campaign clamouring for the destruction of the embryo and fetus as a cure - all for every social and personal problem...

According to Ashley Montagu the embryo, fetus and newborn babies do not really become functionally human until humanized in the human socialization process. To him humanity is an achievement and not an endowment.<sup>51</sup> It is his position therefore, that abortion would be permissible whenever the child's fulfillment as a healthy human being would be in any way "menaced" or would in any way "menace" the mother's health or society at large. This criterion of personality, as Grisez observes correctly, "opens the door to infanticide as well as to abortion ... it implies that those who regard themselves as humanized and socialized would be justified in doing a way with any group they did not consider "functionally human" if the existence of that group "menaced" society or if its own "fulfillment" were menaced."<sup>52</sup>

As a matter of fact, if any degree of humanization, whatever is to be counted as sufficient to constitute a person, as Montagu seems to suggest, the fetus already is a person since such factors as the pregnant mother's emotional states and her work schedule do influence the temperament and behaviour patterns of the child.<sup>53</sup> Furthermore the unborn is never isolated from the patterns of culture for socialization is a psychosomatic process in that the mind and the body are not distinct entities but only aspects of a unified human being. And because the embryo develops by interaction with the maternal organism, we can correctly say that socialization has its beginnings in the most fundamental modes of biological communications.<sup>54</sup>

It is worth pointing out here that contrary to what Montagu seems to suggest by claiming that functional humanity is an achievement and not an endowment: that at some point socialization is complete, functional humanity is always more or less unachieved. We are people in the making trying to live out our dreams. We go through life trying to become what we may be yet even one's whole life together falls short of what it might have been hence the reasons for the many depressions and frustrations and disappointments that people go through in life.<sup>55</sup>

Human life is a process rather than a product. Human development is not like the constructions of an automobile which becomes one only at the end of the production when someone can actually drive it. A human being has a variety of abilities, some of which are lost as life passes. Furthermore the "achievement" of "functional humanity" is not a matter of passive reception by inert material of the shaping forces of "socialization." The individual himself is not a spectator but an active participant. Even though the ratio of passivity to activity is greater the younger one is, it is hard to see how socialization could ever begin at all if the one being socialized didn't somehow actively participate even at the outset.<sup>56</sup>

Maison Dikirr in his M.A Thesis on "The Philosophy and Ethics Concerning Death and Disposal of the Dead among the Maasai", seems to argue along the same line with Montagu. According to him, even though the Maasai hold both the two understandings of the concept of person as a substance and a relationship, they nevertheless place more emphasis on the relationship aspect which is more concerned with the potential self. He writes thus:

Among the Maasai however, both the natural self and the potential self appear to feature prominently. There is no marked distinction between the two selves. Hence, the concept of person can be viewed as a substantial relationship i.e. a relationship found in the intrinsic order of being a substance. Nevertheless, more emphasis is placed on the potential self, the self endowed with possession of children, with the power of procreation and with material possession and above all, having some social respectability. Defined thus, the concept of person is viewed in terms of conduct and worthiness both of which are relative in a systematic way to age, gender, intelligence level, physical strength, social rank and economic standing.<sup>57</sup>

First and foremost, Dikirr has contradicted himself in his observation of the Maasai understanding of the concept of person as can be seen in the content of the quotation above. In the second sentence of the paragraph he says that there is no marked distinction between the natural self and the potential self. And yet in the third sentence he tells us that nevertheless more emphasis is placed on the potential self and all that come thereafter go to broaden and highlight the very distinction that he is denying above. This contradiction is made even more apparent in his examination of the Maasai definition of the concept of person in terms of existential societal expectations elsewhere in his thesis.<sup>58</sup>

And if our observation of Dikirr's work above is true and we have every reason to believe that it is so, then we will be right in saying that the Maasai like Montagu understand "functional humanity" as an achievement and not an endowment. But the question then is, if personhood is defined in terms of conduct or worthiness or societal expectations as determined by age, gender, physical strength, social rank and economic standing among others, what shall become of one's personhood if he loses all his wealth, physical strength, wives and the like? How about if a member of the Maasai community, like Dikirr himself, goes to live in a community or a metropolitan city where such factors are of no consequence or where the contrary is required? What will become of his personhood?

Just as we have stated above, the concept of person hood can never be understood in relativistic terms or as some quality or status which can be given or denied or as something measurable whereby one can have too much and another too little. All human beings regardless of their race, tribe, social rank, and economic standing among others are intrinsically the same. For example, concerning the issue of rationality, mind regardless of whoever posses it is intrinsically rational and invariably exhibits qualities of systematic operations albeit in varied and qualified ways. For, as Professor Nyasani argues, not all minds will display the same rigour or discipline in the pursuit of an operation that requires the application of rules that embrace a logical (systematic) regime and procedure. Whatever the degree of rationality available to a particular mind, the principal characteristic of any mind is to act rationally even in a qualified sense. Every mind possess this latent quality which constitutes its essence and which directs the entire physical organism of the individual substance.<sup>59</sup>

In the light of the above understanding about the person hood of the unborn the use of the concept of viability in determining when the unborn acquires human life or person hood is an exercise in futility. Now it has become apparently clear that person hood is inherent in the unborn right from the time of conception. That notwithstanding, viability itself is not a fixed concept. With the constantly changing technology it is a very unreliable concept in defining the time when a baby can exist outside the womb. Furthermore, if this concept is stretched to its logical conclusion it can lead to absurd conclusions.

Ankerberg observes correctly thus:

Consider some of the problems with the concept of viability. If dependence on some external support system" were believed to render an individual "non - viable," then shouldn't we also define everyone with pace makers, those who depend on kidney dialysis, and even insulin - dependent diabetics, as "non - viable"?<sup>60</sup>

The question then is, if the case of the person hood of the unborn is as crystal clear as we have contented so far, then why is there much confusion about the same today? According to Ankerberg this is largely due to the fact that many people have confused the term personality with person. As such they must be distinguished since they are not equivalent. Ankerberg commenting on Geisler observes thus:

Personality is a psychological concept: person hood is an ontological (Property and knowledge of being) Category. Personality is a property, but person hood is the substance of being human. Personalities are formed by their surrounding, but person hood is created by God. Thus personality is developed gradually, but person hood comes constantly at conception.<sup>61</sup>

we would go one step further ahead of Ankerberg and say that this confusion is not accidental in any way but rather is a result of the dramatic change in the public attitude towards the sanctity of human life and specifically the value of human life in this egocentric and more than selfish world of today. Human life as human life now hardly has a place to stand on. It is being strangled and squeezed from all angles. Humanity is indeed on the verge of self-destruction.

But what about the case of the identical twins? If our position is correct, that person hood is present in the unborn right from the time of conception, how then shall we be able to explain the person hood of the monozygotic twins? J. Foster puts the question succinctly thus:

If, as I am contending, the fetus, is or embodies, a person right from conception, how are we to interpret the case of monozygotic twins - the case where the zygote divides and the two halves develop as separate, though genetically identical organisms? If we say that each twin has been a person from conception, we are forced to say either that a single person has become two persons or that, before the split there are two persons with a single body.<sup>62</sup>

We are fully in agreement with Foster that there are deep philosophical issues here and that basically, the answer we will give will depend on whether we think of a person as a human organism with a mental and spiritual aspect or as

an immaterial soul or spirit which inhabits a body. "If we think in the first way we will say that one person becomes two. If we think in the second way, we will say that two persons are attached to the original zygote.<sup>63</sup> However, this case of twins does not argue against conception as the correct demarcation between the life of parents and the new individual. The individuality of twins in relation to their parents is established at conception although their individuation in relation to one another may occur later.<sup>64</sup>

It is the author's strong contention that man is man and life is life.

Whether it is an unborn child at whatever stage of development or an old adult it makes no difference in as far as the essence of manhood or personhood is concerned. If we may apply Plato's theory of forms here, and take Adam to designate the term human, everybody then the unborn and the 'born' qualifies as human in as much as they participate in the universal category Adam in the sense of being human. So our humanhood stems from the fact that we share in the stream of life. Once there is fecundation then the zygote is already participating in the stream of life. It is both a human being and a human person.

It should be noted, however, that the degree and capacity of sharing or participating in the stream of life differ even among adults e.g in intellectuality, but the crucial thing is the participation in the universal form human. The characteristic proper is rationality. The seat of this rationality is the human soul. That is what differentiates human beings from other brutes.

Human beings differ in race, colour, language, tastes and preferences, and body complexion, but this does not make any group or individual less human or more human than the other. All these diversities meet in the universal form human. This unified universal form is diversified in the particularization of it. And if there are differences even among the adults then, why do we condemn the unborn for being different from adults? In sum we are saying that the unborn baby whether a zygote, embryo or a fetus is a human being, a subject of human rights protection.

Any attempt to make a distinction between a human being and a human person as has been done by some, will be treated with suspicion. Unless one has an evil motive of wanting to destroy a certain section of humanity by first seeking for the dehumanization of the said group as part of that process of destruction; such a distinction is uncalled for. This suspicion is confirmed by an editorial excerpt in the pro - abortion journal, California medicine as quoted by Freiling. The editorial reads thus:

The reverence of each and every human life has been a keystone of western medicine, and is the ethic which has caused physicians to try to preserve, protect, repair, prolong and enhance every human life. Since the old ethic has not yet been fully displaced, it has been necessary to separate the idea of abortion from the idea of killing which continues to be socially abhorrent. The result has been a curious, whether intra or extra uterine, until death. The very considerable semantic gymnastics which are required to rationalize abortion as anything but taking a human life would be ludicrous if they were not often put forth under socially impeccable auspices. It is suggested that this schizophrenic sort of subterfuge is necessary because, while a new ethic is being accepted, the old one has not been rejected<sup>65</sup>

In light of the above evidences we are of the position that there is more than meets the eye in this abortion debate. The crucial issue underlying it is not the question concerning the personhood of the unborn , but rather the value of human life both in and outside of the womb.

It is our position that there is categorically no distinction both in fact and principle between a human being and a human person. All human beings from the unborn to the senile are human persons. The two terms are synonymous and therefore are one and the same thing.

## 2. 2. CONCLUSION

First and foremost we want to point out here that our central task in this chapter is not to provide a factual proof that a fetus is a person, but to critically examine the pro-abortionists' attempts to exclude the fetus from the protected circle of person hood. The burden of prove as was the case with the

corpernicun revolution, is in the hands of the pro-abortionists. However, unlike the study of planetary bodies, the case of person hood is not a physical study. But rather, it is a philosophical (metaphysical) and theological matter. This in itself makes the task of the pro-abortionists insurmountable. But since they have decided to go ahead with the task, our job here has been to examine their arguments to see whether or not they are tenable.

We are contented here to the extent that the facts before us show beyond doubt that the fetus from the time of conception and at every other subsequent stage before birth is a living, human individual. It is on the basis of these facts that we are urging the entire members of the human race to accept that the fetus is indeed a human person. The room for doubt, has been closed by the inconclusiveness of the pro-abortionists arguments that try to exclude it from the protected circle of person hood. Consequently therefore we are left with no other option but to accept our hypothesis number two above that the fetus is a human person on the basis of the following: that it is a living, human individual and, secondly, the inconclusiveness of arguments that try to exclude it from the protected circle of person hood.

In our next chapter we will critically examine other alleged justifications for abortion in the light of the findings of the a foregoing chapter: that the fetus is a human person.



## REFERENCE NOTES

1. Grisez, *Abortion: Myths and Realities*, p. 269.
2. *Ibid.*, p. 270.
3. *Ibid.*, p. 273.
4. Freiling, "The Position of Modern Science on the Beginning of Human Life," pp.5-6.
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### CHAPTER 3

#### OTHER ALLEGED JUSTIFICATIONS FOR ABORTION

##### 3.1 THE SUPPOSED "CASES" FOR ABORTION

There are various arguments that have been presented in support of abortion. They range from "supposed medical" arguments to those based on socio - economic factors. For the purposes of our discussion we will examine only a few of these arguments. In doing so we will seek to establish their genuineness and their underlying motive and attitude in light of our hypotheses.

##### 3.1.1 ABORTION TO PROTECT THE LIFE AND THE MENTAL HEALTH OF THE MOTHER.

Out of all the arguments that have been presented in favour of abortion, this is the only one argument on which ground abortion may be granted by all the stake holders in this debate. Cases of ectopic implantation where the fertilized ova is implanted on the fallopian tube have limited alternatives apart from abortion.

But the truth of the matter is that such kind of cases whereby the mother's life is at great risk are so rare as to warrant the kind of attention it is receiving today. Even when such a case does present itself the attitude and intention of the doctor is always to save life.

Many recognized medical authorities in the field of obstetrics and gynecology have clearly stated that, in the present day world of advanced medical and surgical care the situations rarely, if ever exists where the baby must be sacrificed to preserve the life of the mother. Grandy John, quoting Dr. Roys. Hefferman writes thus : "Anyone who performs a therapeutic abortion is either ignorant of modern methods of treating the complications of pregnancy or is unwilling to take the time to use them.<sup>1</sup>

Dr. Meckleburg quoting Dr. Niswander, and an avid pro - abortionist is in agreement with us thus:

... few abortions need to be performed for organic disease in a well - conducted contemporary medical practise if the traditional demand of hazard to life is followed. Cardiovascular disease for example, has long been known to increase the risk of maternal death during pregnancy. Yet "recent research" has shown that nearly every pregnancy of a cardiac patient can be completed successfully with little risk of maternal death... A small number of pregnant patients with severe renal disease and decompensating renal function seem truly threatened by pregnancy. Even in this instance, however, heroic measures such as the use of a dialysis unit may see these women through severe life - threatening episodes... neurologic disease is an occasional indication for abortion. The patient with multiple sclerosis, for example, sometime is indeed, made worse by pregnancy. The effect of pregnancy in this instance is unpredictable, however, and the condition of some patients actually improves. The effect of pregnancy on epilepsy is equally uncertain and pregnancy itself does not increase the risk of death for the pregnant women...<sup>2</sup>

But what if those rare cases do present themselves? What will be expected of the doctor and the patient? The cases should be handled cautiously. The aim of the doctor and the victim and other interested parties should always be to save life. Dr. Mecklenburg in acknowledgement of such a possibility observes painfully and ably thus:

let it be said that there are very rare and very individual circumstances which may require therapeutic abortion in order to save the life of the mother. However, when this situation arises, it poses one of the most difficult decisions in medicine and always represents an unpleasant endeavor. When the death of one of your patients is the only alternative available, then the decision truly weighs heavily. The doctor never really has to decide, however, whether to save the life of the mother or that of the baby. The choice is whether to do everything possible to save the life of the mother, or to risk the death of both your patients. Fortunately, these situations arise very infrequently<sup>3</sup>

Such unique cases requiring special attention as rare as they are, cannot therefore qualify as a reason for any relaxation of the abortion law in order to allow for mass slaughter of the unborn.

And concerning the granting of abortion on the ground of the mental health of the mother, it is important to note that no one has convincingly and

authoritatively ever established a cause and effect relationship between pregnancy and mental illness. This argument therefore has no sufficient factual base and is therefore in bad taste. Grandy concurs with us thus:

Women who are emotionally unstable get pregnant, but pregnancy is not the cause of their illness.... This argument is vague and based on a situation which is extremely rare and certain to be subjected to much abuse by nervous mothers and eager doctors... emotional stress of the mother is not sufficient cause to warrant destruction of her baby.<sup>4</sup>

Dr. Robert J. Campbell, a psychiatrist professor and Dr Theodore Lidz as quoted by Grandy went to the heart of the matter thus consecutively: "The grossly unstable seem to tolerate pregnancy remarkably well... better than they tolerate therapeutic abortion"<sup>5</sup> and that "it is practically impossible to... predict when an abortion will not be more detrimental to the mental health than the carrying of the child to birth."<sup>6</sup> If anything, the opposite of this argument is the case. There is a high possibility that in some cases abortion in women with real psychiatric problems can lead to serious mental disorders as Dr. Mecklenburg correctly observes:

Furthermore, there is good evidence to suggest that serious mental disorder arise following abortion more often in women with real psychiatric problems. Paradoxically, the very women for whom legal abortion may seem justifiable are so the ones for whom the risk is highest for post abortion psychic insufficiency.<sup>7</sup>

### 3.1.2. ABORTION TO TERMINATE A PREGNANCY THAT IS THE RESULT OF RAPE OR INCEST.

Again as in the case of the so called "therapeutic abortions" pregnancies that are the result of rape or incest are statistically rare. However, even if the statistics of such cases were abundant, abortion is no appropriate solution to a pregnancy that has resulted from rape or incest. A wrong cannot be corrected by a wrong. It will still remain a wrong contrary to what Geisler seems to suggest:

some evil should be nipped in the bud. For "allowing an evil to blossom in the name of a potential good (the embryo) seems to be a poor way of handling evil especially when the potential good (the embryo) may turn out to be another form of evil... Incest can be wrong on both ends, conception and consequences of it.<sup>8</sup>

But the question we need to ask is does abortion wipe out the fact that a woman conceived as a result of rape or incest? The physical consequence may be wiped out but the fact that she was raped or had an incestuous sexual relationship still remains. Furthermore the emotional turmoil of rape, the intent behind intercourse, or its moral status cannot justify the taking of human life nor can it change its value. Dr. Nathanson as quoted by Ankerberg, observes correctly thus: "even degradation, shame and emotional disruption are not the moral equivalent of life. "Only life is. "<sup>9</sup>

What, then, should we do when faced with such hard cases. The best course of action is to encourage the victim to carry the pregnancy to term, offer moral and financial support and explore into the possibility of adoption. Dr Landrum, in agreement with us, recommends thus:

When a pregnancy results from rape or incest, I believe that a rational and compassionate society should offer the victim encouragement - physical, psychological and financial - to carry the baby to term. If the mother wishes to give a child up for adoption at birth, that can readily be arranged. Abortion does nothing to right the grievous wrong of rape or incest; indeed, it only compounds it adding to the assault of one innocent person the taking of the life of another innocent person.<sup>10</sup>

Presentations involving cases of rape are usually presented in a clever way so as to solicit pitiful responses from the readers and hence a nod for abortion. A case of that nature was reported in one of our dailies in Kenya recently thus:

She is 21 and traveled from Kisumu to Nairobi but the matatu wouldn't take her close to her cousin's home in Buruburu, so she had to walk the rest of the way after dark. Two women attacked and robbed her and three men raped her. She is now pregnant and wants to abort the rapist child. She signs her letter "Constant agony". who can counsel this distraught lady?<sup>11</sup>

Who can escape this trap? It is only those who understand that no amount of supposed pity or compassion can make a wrong act right.

### 3.1.3 ABORTION TO TERMINATE THE LIFE OF UNWANTED CHILD. THE DECISION TO ABORT SHOULD BE LEFT TO THE WOMAN.

In these arguments abortion is seen as one of the technics of birth control. Some unfortunate “unwanted children” are eliminated on the grounds that they have come at the wrong time and since the woman who is carrying them has the right to do whatever she wants with her body, they are aborted at will. Abortion is here granted on the grounds that the right of privacy is broad enough to include a woman’s decision to terminate her pregnancy. These are very unfortunate arguments based on shaky grounds and very unfortunate categorization of children as “wanted” or unwanted” Landrum observes correctly thus:

It would be nice, of course, if everyone were wanted, but is one’s degree of wantedness a logical or ethical standard by which to determine one’s right to be at all? If so, then we shall have to conclude that life and death are matters henceforth to be determined in popularity contests. Beyond that, even if one accepted the central fallacy of this argument, one’s wantedness is subject to change. Many children who are unwanted at some point during pregnancy end up thoroughly wanted at birth or at some later date. And some terribly wanted babies no doubt end up utterly unwanted later on.<sup>12</sup>

Furthermore a decision to have or not to have a child is not made after the intercourse, it is entailed in the act itself. The moment a husband and wife or any two consenting parties enter into a sexual relationship they are infact saying that we will abide by its consequences. The decision to abort is in fact a denial ot that responsibility solely on the basis of selfish considerations. Grandy quoting Helmut Thielicke concurs with the author thus:

Once impregnation has taken place, it is no longer a question whether the parents concerned have the responsibility for a possible parenthood: they have already become parents. If a man and woman engage in sexual intercourse when a possible pregnancy will occur, then they must likewise accept the responsibility for any pregnancy which may result.<sup>13</sup>

Others may want to abort the “unwanted” child because if allowed to continue it will either interfere with one’s schooling, or work. But a classical objection against such excuses is that there is nothing wrong, for example, in not completing one’s schooling or postponing it for another year or two. We should try to come out of our egoistic tendencies and stop thinking only of “my” welfare and also consider the welfare of the developing baby whose future will not be postponed or delayed but will be cut off completely.

On the question of whether the woman has a right to control her own body or not, as we have stated elsewhere in this thesis, the fetus is not part of the woman. It is an entirely separate life. The only relationship between the two is that the fetus is dependent on the woman’s body for nutrition and safe environment. Each has its own blood system and organs. The question here is, “could this “dependency” correctly mean being “part” of the mother? As we have argued out above the answer is NO

#### 3.1.4 ABORTION DUE TO POTENTIAL DEFORMITY OF THE CHILD.

The value of human life cannot be determined by the physical condition of one’s body. Deformity has nothing to do with humanness or person hood of the individual. There are so many supposedly healthy and perfect individuals who are leading miserable lives. Good health is not synonymous with happiness. There are people who just want to live for the sake of living in spite of their deformities. After all, as Norris points out commendably:

Accidents occur before birth as they do after birth. The paraplegic as a result of spinabifida is no more or less handicapped from a physical point of view than thousands of other men and women who have sustained similar injuries after birth. Why then should the unborn be deprived of life because of his handicap, while his fellow human beings, who are similarly afflicted after birth, are allowed to live?<sup>14</sup>

we will sum up our position about this argument with the words of Allison Davis a spinabifida case thus:



convenience or supposed benefit. The so - called medical problems are really no hard cases as such. The socio - economic factors are in the first place misplaced arguments. For, if the point of contention is about the humanity or person hood of the unborn and, if the pro-abortionists have taken the position that the unborn is not a human person, then why do they have to enumerate such social and pragmatic benefits which only apply to bonafide human persons to justify their acts? The following two quotations from Dr. Mecklernburg and Dr. Landrum set the record straight thus:

To the average man in the street, each of these "medical problems" may well present what appears to be a valid reason to relax the law; but the confusing evidence supporting each of the so - called indications must be closely examined. Furthermore the record of abuses and distortions of the law in some of the states that adopted such legislation needs to be exposed. It is of interest that many of those who worked so hard to get this laws passed only a short time ago are now the same ones who are expending energy to further relax, revise or repeal there already relaxed laws.<sup>16</sup>

And on the socio - economic factors arrayed by the pro-abortionists, Dr. Landrum writes:

The fact that those who support abortion nearly always feel compelled to try to justify their position by enumerating its social and pragmatic "benefits" seems to believe their concomitant claim that the unborn is not human or in any event, is not worthy of protection. If that claim were true, no social or "Pragmatic" justifications for abortion would be required.<sup>17</sup>

Justification of any issue at hand has to do with foundations. Some invoke human nature, that what is morally right is what is in conformity with the person in question - that is, respect for humanity. Secondly, others base their arguments on utility. That is, what is right and good is that which brings the greatest satisfaction to the greatest number of people. This theory is called utilitarianism. Thirdly, others base their arguments on the practical effect of the issue at hand. That is, that which is efficacious or whatever works to bring about the desired end is what should be undertaken. For example, one may argue that "I would do abortion so as not to miss my lectures". This theory or line of argument is called pragmatism.

In critique of the second and third approaches above, we must say that an act or course of action cannot be said to be morally good or right because it has benefited the greatest number of people. Numbers, just as we always say in politics, the majority are not always right, do not make an immoral act moral. Concerning pragmatism we must also say that the end, does not justify the means. For example, the end that is wealth, or pleasure, or convenience is good but that does not justify one to kill in order to become rich or to continue with her schooling.

### 3.2 FALLACIES (THE SEMANTIC WAR)

The war of words is no small war . It is a powerful weapon which can be employed systematically and craftily to seize the minds of the people and move them towards a direction which otherwise they wouldn't have taken or to accept as true and morally right serious acts which would otherwise have been very abhorring and of much distaste in their sober estate.

In the Gulf war pitting Iraq and the Allied forces much of this war of semantics was fought. The Allied forces led by America, the self - proclaimed world defender of democracy tried their best to depict Saddam Hussein in his worst estate - a cold blooded murderer, a dictator, a very ambitious monster and a threat to the peace and stability in the Middle East. Saddam Hussein on his side, though not known to be a practising Muslim as such depicted himself as a staunch believer in the religion of Allah and a champion and defender of Islam, fighting against the devil in the form of America whose major aim is to wipe out the religion of Allah; and make real their envy towards the prosperity of the Muslim people that has come from their oil wealth.

The war was not started when the first shot was fired. It had began long before. The media war of semantics had long cleared the ground of any enemy obstacles as well as opposition from the would be sympathizers of the enemy.

The abortion debate has not been spared this war of semantics : terms have been subverted, definitions and meanings of words and concepts have been down played, all in the tactical plan of paving the way for the mass slaughter of the innocent, the unborn. Everett Koop, a world renown pediatrician and specialist in the rehabilitation of children born with defects expresses his genuine concern thus:

Five years ago, everybody agreed that abortion was killing an unborn baby. Now we have been brainwashed... so that words do not mean the same things that they used to mean. For example, you find that the abortionist do not talk about babies in the womb except when they have a slip of the tongue. They prefer to call these "fetuses" but even better, when they call the developing baby "the product of conception" it ceases to have a personality and its destruction could not possibly mean killing.<sup>18</sup>

This technique of the war of semantics had been used elsewhere in Nazi Germany and it proved to be an insurmountable weapon. No where has the used of this war of semantics and the extent of subversion of the common words and meanings been illustrated than in William Branam's book, *The Abortion holocaust*. It is from this book that we will reproduce extensively some of Brenam's charts in which this subversion has been illustrated with reference to Nazi Germany and contemporary America.<sup>19</sup>

The imprecise or even deceptive use of language and promotion of false information has permitted the modern pro - abortion lobby worldwide to increasingly turn the world into a death camp for the unborn: by the year 2000 A. D. the toll may be over one billion dead.<sup>20</sup>

The fear may look alarming and the figures threatening but that is the reality. Even if the figures can be disputed, the fact that we are heading towards that direction is indisputable. The tide can only be halted if every man and woman on this planet earth stop to rethink about whatever happened to their attitude towards the cherished principle of the sanctity of human life and the intrinsic value of human life as human life

Until the later part of the twentieth century there had been a general consensus in the medical and religious circles that human life begins at conception. From a medical and biological point of view, new human life can only have one point of beginning: When the male sperm unites with the female egg at fertilization to form "a unique person".<sup>21</sup> To date there are no new discoveries that have significantly and convincingly undermined this position. On the contrary the new developments in the scientific field have continued to buttress it. Medical science continues to discover more and more about the special life of the unborn child.

The sudden upsurge in the abortion practise in the latter part of the twentieth century can only be accounted for by the legalization of the practise in the West, especially in the United States of America, in the historic supreme court ruling of 1973 and its consequent degeneration of the value and dignity of human life. It is this shift in the attitude towards the value of human life that led to the legalization of abortion and which has continued to suffer more and more as a result of this legalization. When abortion was legalized in the west the term used to refer to the developing child in the womb changed drastically from child or baby to fetus, product of conception, fetal tissue, and growth among other names. Human life has been deprived of its intrinsic worth.

Pragmatism and utilitarianism is now what matters. Human life is now worth living only if it can deliver. It it is to be allowed to continue it will be viable for sure. It must pass the man made test of its usefulness and ability to sustain itself independent of the mother. Man has taken the place of the Creator. He has become his own giver and taker of life. What a misfortune? The value of human life is now on the balance. Ronald Reagan got into the heart of the matter thus:

The real question today is not when human life begins, but what is the value of human life? the abortionist who reassembles the arms and legs of a tiny baby to make sure all its parts have been torn from the mother's body can hardly doubt whether it is a human being. The real question for him and for all of us is whether that tiny human life has a God - given right to be protected by the law - the same right we have<sup>22</sup>

The real issue then for Reagan, as evidenced by the case of Baby Doe in Bloomington, Indiana above, is whether to protect the life of a human being who has a disease that may probably render him mentally handicapped.<sup>23</sup> We are fully in agreement with Reagan that the agreement of the medical and scientific witnesses in the court proceedings about the scientific evidence that the unborn child is a live and is a distinct individual and a member of the human species made clear the real issue before the court. The value question - that is whether or not to give value to a human life at its early and most valuable stage of existence.<sup>24</sup> The court ruling has produced more harm than good not only to the unborn but also to the already born, both young and old. Humanity is now asking whether it is appropriate to accord protection and the right to life to the deformed infant, the mentally incapacitated, the completely immobilized accident victims. What a misfortune. What a kind of society that we live in today? Reagan observes correctly and painfully thus: "Regrettably we live at a time, when some persons do not value all human life. They want to pick and choose which individuals have value."<sup>25</sup>

Landrum Shettles in his overview of the abortion debate and the consequent developments that have taken place in the United States courts since the legalization of abortion in 1973 and the statistical impact of that ruling, observes correctly thus:

The abortion debate today focuses primarily about the law as interpreted by the United States Supreme Court, which makes it legal for women to have abortions under most circumstances through the sixth month of pregnancy. The debate is about something else; as well, however - something far more significant. It is about a newly emerging ethic which may dramatically change society for all time.<sup>26</sup>

According to Landrum the issue that is of major concern to us is not the overwhelming consequent court rulings or statistics but rather the basis underlying the new developments. On what grounds was the ruling made? What could have happened to the society that necessitated the sudden change in attitude towards human life? As we have seen above, the courts dismissed for sure the question of scientific findings that the "Unborn" is not alive or is not human. And if indeed the Supreme Court dismissed the scientific findings about the nature of the unborn, which they truly did, then on what basis was its ruling made? Landrum observes with insight thus:

The courts rested its case easily upon sociological rather than biological concerns. It justified its conviction that a woman has an almost absolute right to control her body, even when she is pregnant, upon a concept of "right to privacy". It was also influenced by its perception of the social costs of "unwanted" children, the economic and emotional plight of unwed mothers, the horrors of illegal abortion, and so on. The decision, in my view, was a dramatic expression of the newly emerging "quality of life ethic" that places the "greatest good for the greatest number over the welfare and sanctity of the individual."<sup>27</sup>

This new ethic seems to have taken root in today's society. Humanity on their own volition seem to have made up their minds towards that way that outwardly at face value looks attractive but therein is that poisonous gas with which humanity will annihilate itself. It is a self-dug grave. It is encouraging to note, however, that all is not lost. Not everybody has joined this deceptive bandwagon. There is a diligent remnant army of men and women who are ready at all costs to uphold the old ethic and above all to challenge the modern society to reconsider its present stand. On this matter Landrum is in agreement with us thus:

It should not be assumed, of course, that simply because medical establishments and high courts have declared that a new ethic is abroad in the land, it is perforce, the preeminent ethic. The tide, however, does seem to me to favour the new ethic, at least, at this point in human history. Still, battle lines are being drawn, and there are people in all walks of life - Christians as well as non-Christians, liberals as well as conservatives - who are assiduously resisting the new ethic, convinced that it will ultimately undermine the freedom of all of us, not just the freedom of the unborn or others too weak to fight for their natural rights. The debate, therefore is not simply over

whether abortion should be sanctioned, but also whether the new ethic that is increasingly being used to justify it is wise and moral. Those who believe that it is neither urge a revival of and renewed commitment to the ethic that holds each human life to be sacred and worthy of the protection of the law.<sup>28</sup>

### 3.3 CONCLUSION

In the light of the discussion above, one cannot help but conclude that the real issue facing us today in the abortion debate is not when human life or biological life begins, or the question of the personhood of the unborn, but what is the value of human life? This is the "Crux" of the matter. Human life as human life has apparently lost its intrinsic worth. It has first to prove that it is worth living before it is allowed to proceed. Somebody somewhere has to say "yes" first. What a misfortune that has befallen humanity.

It is clear from the foregoing discussions that just as we had contended above, the real issue underlying the abortion debate and practise today is not the question about when human life begins or the personhood of the fetus, but the value question: the questioning of the humanity of the unborn. But the fact of the matter is, even if the abortion decision were to be granted on the basis that the unborn is not a human person the cost of the post abortion effects is so high as to render that decision unwise. A critical examination of the post abortion effects in the next chapter will reveal the same.

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## CHAPTER 4

### THE HIDDEN SIDE OF ABORTION - A LOOK AT THE INSURMOUNTABLE RISKS INVOLVED.

In this chapter we shall discuss the risks involved in abortion - the physical dangers of abortion, the psychological and spiritual impact on the mother, the siblings, and the entire family. We shall also look at the effects of abortion on the economy (albeit by way of passing) and its impending threat on the future of the human race.

It suffice here to set off this endeavor with a quote (an extensive one for that matter) of a real life case study as reported by Grant in his book *Grand illusions..* And I quote:

Caroline was twenty - two when she had her first abortion. Eight months later, she had another. "The first one seemed to go just fine," She told me. "There was little bleeding and some pain for the next few weeks. Nothing serious, though". But it was serious. That became readily apparent when she went in for the second abortion. "There was quite a bit of scar tissue in my cervix. The physician seemed hesitant at first, but decided to go ahead with the procedure." That was not the last mistake that the doctor would make that day. His sharp blindly wielded curette inadvertently perforated Caroline's already scarred cervix. When he inserted the suction apparatus it passed through the body cavity. The shearing force of the suction then seriously lacerated the bladder and tore loose the right ureter - the tube that carries urine from the kidneys to the bladder. The delicate parametrium and peritoneum membranes were ruptured and a pooling hematoma surrounded the entire right renal system. Completely unaware of the damage he had caused, the doctor finished the procedure, sent Caroline into the recovery room and turned his attention to other matters. After a forty five minute rest, he released her. "I collapsed on the way to my home. I think I was in shock," She said. She was suffering from a lot more than shock. An emergency room examination revealed heavy haemorrhaging and leakage of urine per vaginum. Attendants rushed her into the operating room where surgeons reluctantly performed an emergency right nephrectomy and oophrectomy - the removal of the right kidney and ovary. They also evacuated the hematoma and resected the torn endometrium. "I spent about ten days in the hospital after that, "She told me as we walked past the Julliard toward the Hudson River. Those ten days has cost her a place in the school's renown drama department. "But the worst was still yet to come". Over the next several weeks Caroline suffered from recurring abdominal pain, high fever, vaginal discharge and abdominal bleeding. She was scheduled for both cystoscopy and Laparoscopy and was once again admitted to the hospital. The exploratory surgeries revealed that a portion of the fetal skull had been imbedded into the resected intra - abdominal tissue. They also revealed a severe pelvic inflammation caused by

... to tell a pregnant woman that a few hours or a day in hospital or clinic will rid her of all her problems and will send her out of the door a free person is to forget the humanness of women who are now mothers. With many of the women who have had abortion the motherliness is very much present even though the child is gone.<sup>5</sup>

As already stated earlier the focus of this chapter is on the effects of abortion. We shall now examine each of the different kinds of risks individually.

#### 4.1 PHYSICAL RISKS.

As Reardon points out, answering the question, How safe is abortion is crucial to any public policy on abortion; but it is even more crucial to the women facing the abortion decision. It is quite unfortunate though that for many women their “safe and easy” abortions proved to be neither safe nor easy. The painful and outrageous thing is the fact that almost none of these women were given a realistic assessment of the risks of abortion.<sup>6</sup>

It is true even in countries where abortion is legalized that there is a systematic cover - up of the information on the cases of victims who have been faced with adverse physical complications after abortion. This deliberate act of the abortionists to hide their failures or, to under report them occurs primarily for three reasons:

1. abortionists are seeking to protect their personal and professional reputation;
2. secondly, by minimizing the existence of unfavourable records, abortionists can minimize the availability of damaging evidence in the event of malpractice suits; and
3. abortionists want to maintain the general myth false as shall be proven, that abortion is safe.<sup>7</sup> But while the rate of complications is uncertain due to the above reasons, the variety of complications which occur during and after abortion is well documented. According to Reardon, over 100 potential complications have been associated with abortion.<sup>8</sup> Some of these complications can be immediately spotted, while others reveal themselves within a few days.

There is however, a major problem in identifying these complications especially the long - term risks. For as Reardon points out :

The latent complications may not be apparent until later pregnancy is attempted or until the uterus is infected as to require removal. Thus, an abortion recorded as complication free in a short term study might in fact have caused long-term damage. Thus as many investigators have discovered, short - term studies of abortion complications reveal only the tip of the iceberg. Indeed the longer women are kept under surveillance after an abortion, the higher are the reported rates of latent morbidity. Women who may appear physically unaffected by an abortion after a one year follow - up may be found to be severely affected by the abortion as many as ten to fifteen years later.<sup>9</sup>

In our examination of the physical risks we shall first of all give a brief description of the major medical methods used in abortion and the immediate and short - term risks of each of the methods.<sup>10</sup>

#### **4.1.1 THE TECHNIQUES OF ABORTION. IMMEDIATE AND SHORT - TERM RISKS**

##### **4.1.1.1 DILATION AND CURETTAGE (D&C)**

This technique is most commonly used in the first trimester abortions. The cervical muscle ring is first paralyzed and then stretched open. A curette and loop - shaped steel knife, is inserted into the uterus. The surgeon then scrapes the uterine wall, dismembering the developing child and scraping the placenta from its attachment on the wall of the uterus.

The major and minor complications resulting from the use of this method include: infection, excessive bleeding, embolism, ripping or perforation of the uterus, anesthesia complications, convulsions, hemorrhage, cervical injury, and endotoxic shock. "Minor" complications includes: infections, bleeding, fevers, and chills, second degree burns, chronic abdominal pain, vomiting, gastro-intestinal disturbance, weight loss, painful and disrupted menstrual cycles and Rh sensitization.<sup>11</sup>

#### 4.1.1.2 SUCTION CURETTAGE

This technique also known as the vacuum aspiration is also used in the 1<sup>st</sup> trimester abortions. Whereas the principle is the same as D&C, in suction abortion the body of the developing child is not dismembered, but instead it is vacuumed out. The body of the developing child and placenta are sucked into a jar, where smaller parts of the child's body are often still recognizable.

The major complications resulting from the use of this method are the same as those of D&C.<sup>12</sup>

#### 4.1.1.3 SALT POISONING

This technique is often used in second and even third trimester abortions. In saline abortion a concentrated salt solution is injected into the amniotic sac surrounding the baby. This solution burns the skin of the fetus and slowly poisons his system resulting in vaso dilation, edema, congestion, hemorrhage, shock and death. This process takes from one to three hours, during which the distressed unborn kicks, thrusts, and writhes in its attempts to escape. Twelve to forty eight hours after the child dies, the mother's hormonal system shifts in recognition of this fact and she goes into natural labour.

The complications resulting from the use of this method include : 1. Accidental injection of saline solution into circulatory system, which may result in life - threatening coagulation problems; 2. The seepage of the salt solution through uterine puncture wounds into the abdominal cavity; 3. Severe infections and hemorrhages; 4. Incomplete abortions and retained placentas the correction of which requires additional surgery; 5. Cervical lacerations, and; 6. Infections or uterine damage incurred during saline abortions frequently require the removal of the uterus.<sup>13</sup>

#### 4.1.1.4 HYSTERECTOMY

The techniques for hysterectomy abortion are similar to that of a caesarian section. The difference, however, as Shaeffer observes, is that in a caesarian section the operation is usually performed to save the life of the baby, whereas a hysterectomy is performed to kill the baby.<sup>14</sup> Having been removed from the uterus the child is laid aside to die from neglect.

As Koop points out hysterectomy gives the fetus the best chance but at a very high price in morbidity and a risk of mortality for the mother fifteen times greater than that of saline infusion.<sup>15</sup> There is also the potential for accidental rupture during subsequent pregnancies, especially during labour.<sup>16</sup>

#### 4.1.1.5 PROSTAGLANDIN.

These drugs artificially induce labour and may be administered orally, intravenously, by vaginal suppositories, or by direct injection into the amniotic sac. Usually the child dies during the trauma of premature labour, but frequently it does not.

Frequent complications associated with prostaglandin abortions include: spontaneous ruptures in the uterine wall, convulsions, hemorrhage, coagulation defects, cervical injury, vomiting, and incomplete evacuation of the uterus. In cases of incomplete abortions, the decay of retained tissue may result in severe infections, prolonged hospitalization, additional surgery, or an emergency hysterectomy.<sup>17</sup>

#### 4.1.2. LONG - RANGE RISKS

In his article on "The complications of legal abortions; A perspective from private practise", Dr. Bulfin compiled the following report on some findings from observations on 802 patients who had undergone legal abortion between January 1972 to June 1979.<sup>18</sup> He writes thus:

Of the 802 women, 159(19.9 percent) suffered mental or physical complications of such magnitude or duration as to be considered significantly disabling. Even though 643 patients (80.1 percent) had essentially negative findings upon examination and review of medical history, my impression is that the great majority of these women viewed their experience as painful, traumatic, and one that they would like to forget.<sup>19</sup>

Bulfin's tabulated findings will give us a hint and a clear picture of some of the long - range risks that women undergo following their legal abortions :

CLASSIFICATIONS OF TYPES OF COMPLICATIONS  
IN 159 PATIENTS FOLLOWING LEGAL ABORTIONS

	No.	%
Sepsis, peritonitis, endometritis	41	25.79
Salpingitis, abscess, Mental and Psychologic sequelae	23	14.47
Hemorrhages; recurrent and disabling	20	12.58
Infertility: repeated miscarriages	14	8.81
Re-operations; laparatory, Hysterectomy and D&Cs	13	8.18
Uterine and Cervical trauma,	12	7.55
Perforations, lacerations Second trimester syndrome	8	5.02
(Fetus expelled: Patient unattended) Menstrual dysfunction: Oligome- Norrhea and amenorrhea	8	5.02
Pelvic pain syndrome	8	5.02
Abortion done: Patient not pregnant	4	2.52
Hysteria following expulsion of recognizable parts	3	1.89
Marital break up	2	1.26
Severe kidney damage	2	1.26
Resection of ileum: Colostomy	1	0.63
Total	159	100%

On the over all medical risks of induced abortions, Davis quoting Stall Worthy, comments thus:

The morbidity and fatal potential of cuminal abortion is accepted widely, while at the same time the public is misled into believing that legal abortion is a trivial incident even a lunch - hour procedure, which can be used as a mere extension of contraceptive practise. There has been almost a conspiracy of silence in declaring its risks. Unfortunately, because of the emotional reactions to legal abortions well documental evidence from countries with a vast experience of it receives little attention in either the medical or lay press. This is medically indefensible when patients suffer as a result.<sup>20</sup>

The author is here in agreement with Davis that it is indeed a high time that this silence be broken. The potential victims and the general population have to be enlightened. They may have heard, seen, told and experienced this before, but the magnitude of the risks involved obligates us to do it again and again.

#### **4.2 THE PSYCHOLOGICAL AND SPIRITUAL IMPACT OF ABORTION.**

It is true, as Reardon points out, that abortion is never simply “over and done with”. The experience is always tainted by a lingering ambivalence and is often the source of psychiatric disabilities. There may be and indeed there is, a problem of acquisition of statistical reports and the interpretation of the same. But as Reardon observes, “Statistics can be looked at and argued infinitum. But they are really valid only as indicators. The real issue is not exactly how many women suffer, but that they do suffer.”<sup>21</sup> The various psychological reactions that women undergo include the following:

##### **4.2.1 GUILT AND REMORSE.**

We will illustrate what we mean by guilt and remorse by citing two incidents: one of a mother who had aborted, and another who had aborted but was also the owner of an abortion clinic. Koerbel the writer of *Abortion's second victim* had this to say about her experience following her abortion:

My sense of euphoria didn't last long. Alone at night I had hours to think about what I had done. I tortured myself with thoughts of my dead baby. I mourned the child I had destroyed... Life around me continued at its frantic pace unaware of one lonely person lying in confusion and guilt. Why do I feel this way? Everyone said it was O.K. not to worry, it was best for all concerned.

I soon became bitter and resentful. Everywhere I went I saw pregnant women and mothers holding infants. Posters declaring the horror of abortion condemned my actions and views on articles proclaiming the rights of women to rule their own bodies leaped off the pages in self-righteous conspiracy. I began to justify my actions.... Guilt consumed me as I began to understand why I had aborted and what I had done to myself, my baby, and others around me. I would never be convicted for my crime. That didn't matter- for I had sentenced myself to a lifetime of guilt and depression.<sup>22</sup>

Carol Everett in her book *The Blood Money*, experienced a lot of guilt following the death of a lady in their abortion clinic and whom they had to cover up for the sake of their business and personal reputation. She writes painfully thus:

The scene of Sheryl Mason lying in a pool of blood in the recovery room became etched in my mind. Her blood could be washed off the privacy curtains, the wall, and the bedding, but it could never be washed off me. Sheryl mason walked into our "clean" clinic, and we killed her. My soul languished in a mire of blame. "I am as guilty as Harvey, because I sold her the abortion, and I pushed him into doing big abortions."<sup>23</sup>

As Koerbel points out, whether the guilt feeling is temporary or permanent, whether it comes as a result of religious beliefs or from some deep inner knowledge, the fact remains that the woman is guilty regardless of whether she feels the guilt or not.<sup>24</sup> While the thought of the act committed may continue to be suppressed, a vivid picture of the same will continue to linger in her mind possibly for the rest of her life.

#### 4.2.2 DEPRESSION.

Depression and a sense of loss are extremely common after abortion.<sup>25</sup> Some of the depressions may be unmanageable, causing an inability to concentrate on work. "Depression goes beyond despair to find its depths in feelings of worthlessness and hopelessness and is sometimes accompanied by



suicidal thoughts or attempts,” Says Koerbel. Concerning its cause, she writes:

For we who have endured one or more abortions, depression can be caused by dwelling on our due date each year or focusing on the anniversary of our abortion; realization of our failure to face responsibility of carrying our baby to term. Or dwelling on details of our abortion experience. Underlying all the causes for depression is guilt that comes from a failure to handle our problem God's way.<sup>26</sup>

#### 4.2.3 SUICIDE.

Suicidal thoughts and attempts arise as a result of feelings of rejection, low self - esteem, guilt and depression. In the reports of an organization in America called suiciders synonymous, it is indicated that there has been a dramatic rise in suicide rate since the early 1970's when abortion was first legalized. Between 1978 and 1981 alone, the suicide rate among teenagers increased 500 percent.<sup>27</sup>

#### 4.2.4 ANGER AND BITTERNESS

Many aborted women express extreme anger and rage. This may be directed at the family, husbands boyfriend, or even children . Hatred of spouse or lover, however, as Gardner observes, probably arises only if the woman has been pressurized into co-operation by his wishes for selfish, neurotic, or childish motives of his own.<sup>28</sup> In other instances anger is directed towards the abortionists or abortion counselors who are blamed for concealing the real truth about the effects of abortion all in the name of making money.

The psychological effects and especially the post abortion guilt of the mother is real. In the short run, abortion as we have stated above may be seen as a big relief to the victim concerned. But in the long run the relief turns out to be a nightmare when the memory of the act and especially the concern for the baby whose life was ruthlessly terminated begins to haunt the mother.

### 4.3 **OTHER EFFECTS:**

#### 4.3.1 **THE SIBLINGS.**

The children who were living at the time their mother aborted will be affected in one way or another. For as Koerbel observes, "Perhaps the woman aborted in order to maintain the family's standard of living. What will those children think when they realize they were spared, perhaps simply because, they were conceived at the "right" time - while their sibling's life was terminated because of the inopportune time of his conception?"<sup>29</sup>

#### 4.3.2 **THE ENTIRE FAMILY**

The fact of abortion will affect the whole family in one way or another. Either financially, psychologically or socially. The family can also be affected in the sense that if the aborted mother will not get any other children then they will not have any children or grand children to take care of them in their old age. The only alternative then left to such couples is the old age homes (centers). A place which otherwise they would not have gone if they had people to take care of them.

#### 4.3.3 **THE ECONOMY.**

The following are possible negative effects of mass abortion on the economy:

1. Abortion can affect the economy very adversely. For if there are no children, manufacturers of toys and baby products will run out of business:
2. The government will run out of man power - both in offices, factories, and military;
3. The government will run out of money to support old age people since there will be very few contributors to the fund;
4. Many schools will be closed down because of lack of pupils;

5. The government will lose money in terms of revenue collections from the potential workers that have been wiped out and the revenue collections in form of taxes from the closed factories.

#### 4.4 **CONCLUSION: THE PAINFUL REALITY.**

It is clear from the above findings that, what the victims of post - abortion complication get, is far more costly (physically, financially, and psychologically) than the cost of maintaining the aborted baby.

The abortionists and the abortion counselors should know that however darkened their conscience is and however greedy they are for money, and regardless of whether or not abortion business is legalized in their respective countries, they are ethically obligated to share nothing short of the whole truth about post - abortion complications with their clients.

The personhood or humanhood of the unborn may be denied or concealed before and during abortion but just as we have seen from the post- abortion cases discussed above, that concealment will not last long. It will soon come up naturally. The sad thing though is that it will be too late. The mess will have been done already.

But what is it that can make one to take such a costly course of action? The claim that human life does not begin at conception? Or that the fetus is not a person? No! we doubt. The real issue is being concealed by the abortionists. Human life, it seems, has "lost" value so much that one can go to any extent to do away with it even if it means losing or endangering her own life in the process.

If the findings in this chapter and the previous chapter is anything to go by, then we will be right in accepting our hypothesis number one: that the pro-abortionists arguments are untenable. As we saw in chapter three the pro-abortionists alleged justifications for abortion are egoistic and are basically based on the utilitarian and pragmatic ethical foundations. These approaches, as we have seen, if stretched to their logical limits will lead to absurd conclusions and

detrimental effects on humanity as a whole. And as we have pointed out earlier, even if we were to grant the pro-abortionist's arguments the benefit of doubt, the post-abortion effects as we have seen above would render that decision unwise.

Consequently, therefore, the best and only safe avenue left for us is to accept our hypothesis number one above and seek to provide alternative solutions to the choice of abortion. And it is this task that we will endeavour to undertake in the next chapter.

REFERENCE NOTES

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2. Shaeffer, *Whatever Happened*, p. 52.
3. Koerbel, *Abortions' second victim*. p. 82.
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5. Shaeffer, *Op. Cit.*, P. 52.
6. *Aborted women silent No More*, p. 89.
7. *Ibid.*, p. 90.
8. *Ibid.*, p. 92.
9. *Ibid.*, p. 93.
10. Reardon, pp. 91-99; Davis, *Abortion and the Christian*, pp. 27-34.
11. *Ibid.*
12. *Ibid.*
13. *Ibid.*
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15. Koop, *The right to live*, p. 31.
16. *Ibid.*
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18. Dr. Bulfin, *The zero people*, pp. 98-99.
19. *Ibid.*
20. *Ibid.*, p. 29.
21. Koerbel, *Op. Cit.*, pp. 141-142.
22. *Ibid.*, p. 212.
23. Everret, pp. 25-29.
24. Koerbel, *Op. Cit.*, p. 105.
25. Reardon, *Op. cit.*, p. 126.
26. Koerbel, *Op. Cit.*, pp. 159-160.
27. Reardon, *Op. Cit.*, p. 129.
28. Gardner, *Abortion*, p. 210.
29. Koerbel, *Op. Cit.*, p. 181.

## CHAPTER 5

### IS ABORTION THE BEST WE HAVE TO OFFER? VIABLE OPTIONS AND ACTIONS.

#### 5.0. WHAT OUGHT WE TO DO?

The hypocritical stand of today's society is perturbing. This time you hear of a charitable fund for the unfortunate members of our society: the street children, the physically handicapped, the orphaned, Aids victims and the widowed. The feminist movements and organizations are complaining about the discrimination in employment, sexual harassment and the mild punishments meted on the rape culprits. "The rapist's must be sentenced to death," they say. Then like a whirlwind they turn around. The next thing one hears is that abortion is a woman's decision and that women can only be said to be free if they are allowed to make decisions affecting their own lives freely. "After all", they say, "the unborn are not human beings (persons). They are just a lump of tissue in the woman's womb who have no independent existence". And that the granting of abortion request is an act of compassion and love for the child and genuine understanding of the woman's situation. Man has become so egocentric even to the point of self-annihilation.

The world is alarmed by the thousands of people being killed by land mines, the fear of dangerous chemicals and weapons being in the hands of heartless blood thirsty dictators, the dangers posed by the nuclear warheads, and the AIDS scourge. But when it comes to abortion the much we read is that it is the Catholics', the conservative Christians' and Muslims' opposition to the family planning and abortion saga.

It is the contention in this study that the abortion debate is *neither* a Catholic, Conservative Christians', nor Muslim affair. It is a human catastrophe facing humanity as a whole much as the nuclear threat or AIDS scourge and even worse. It is a case of genocide against humanity no different

from the Rwandan case.

Francis F. Shaeffer and Everett Koop a world renown children's doctor and expert on rehabilitation of children born with bodily defects and other abnormalities sounded a prophetic warning in their film which was later put in a book form entitled "*Whatever Happened to the Human Race*". In this film the duo expressed their fears that the legalisation of abortion in America and any other country that had done so would widely open the door to infanticide and euthanasia. Expressing the same sentiments later, in his article "It is your life that is involved" Shaeffer states ably thus:

Often when the question of abortion is dealt with it is considered in terms which are too limited . Abortion does not stand alone. It is a symptom of a generally lowered view of human life. This leads to two considerations... the realization that the acceptance of abortion does not end with the killing of the unborn human life. It continues on to affect our attitudes towards all aspects of human life ... if human life can be taken before birth, there is no logical reason why human life cannot be taken after birth.<sup>1</sup>

These words are no longer a prophetic warning but a reality very much with us now. The entire human race from the unborn to the old is now under the threat of imminent death. It began with abortion and then to infanticide and now euthanasia. With these tragic and horrific developments it has now become very clear to those who want to see and hear that the real issue underlying the abortion debate is really not the question of when does life begin or the person hood of the unborn, but rather the degenerated and degenerating attitude towards the value of human life as human life.

Where is humanity headed to? Accidents, terminal sickness and senility will soon become nightmares in some countries of the world for incapacitation of any kind may render one's life meaningless in the eyes of some and hence one may be eliminated for his/her life is no longer productive. The unborn suspected to be having deformities and those already born with such deformities e.g spinal problems are now an endangered species.

The Oath of Hippocrates enjoins doctors all over the world to uphold their profession and carry out their duties with dignity and utmost care. Their primary aim is to save lives entrusted unto them. And even if the situation is clearly out of their control their aim should be to save life. Sections of the Oath of Hippocrates read thus:

... according to my ability and judgment, I will keep this oath and this stipulation.... I will follow that system of regimen which according to my ability and judgment, I consider for the benefit of my patients, and abstain from whatever is deleterious and mischievous. I will give no deadly medicine to anyone if asked, nor suggest any such counsel: and in like manner will not give to a woman a pessary to produce abortion. With purity and holiness I will pass my life and practise my art... Into whatever houses I enter, I will go into them for the benefit of the sick, and will abstain from every voluntary act of mischief and corruption.... while I continue to keep this oath unviolated, may it be granted to me to enjoy life and the practise of the art, respected by all men, in all times! But should I trespass and violate this oath, may the reverse be my lot!<sup>2</sup>

Going by the content of this oath it is a clear fact that the doctors are prohibited from procuring abortion. But what do we see happening in our midst these days? Many doctors have been overtaken by greed for material gain and are doing a booming business on the same. The laissez faire spirit of a free market economy in a liberalized environment has caught up with them.

Even in the most extreme of the situations the abortion option can still be avoided. For what sometimes may seem utterly impossible in our eyes as human beings can, after all, be possible. A unique incident was reported in one of our dailies here in Kenya about a woman who gave birth to seven live babies in America. The decision to carry the pregnancy to full term was made by the couple against the wishes of the doctors. The report ran thus:

...Ms. Bobbi McCaughey gave birth by cesarian section today to four boys and three girls in six minutes - no complications.... The McCaugheys (Pronounced McCoys) ignored doctors suggestions that they abort some of the seven fetuses to ensure the health of others. Their decision seemed to pay off when doctors said all seven children were "Vigorous" and experts predicted that all of them could survive... If so, Mrs mcCaughey would become the first mother in known history to deliver septulets who lived<sup>3</sup>



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What would have been the major reasons for this couple not giving in to the doctor's advise for selective reduction or abortion of some of their children: namely the health of the mother, and financial constraints were squarely taken care of without much huzzle. The woman had a successful delivery and the people responded in unlimited ways. Some provided a means of transport for them, others helped them build a bigger home, others promised to provide grocery and others stores for several years while others promised to help in the education of the children.<sup>4</sup> The results and the responses were over whelming. Can't we learn a lesson from this experience?

In light of the foregoing discussions we would say that abortion is the worst course of action for one to take, or to offer any one. Abortion as the intentional killing of a developing human baby inside the mother's womb in order to end the pregnancy should be kept at bay all times and in all situations. The potential victims should at all times acknowledge the hard situations they are in and resist all attempts or temptations to sacrifice the innocent life for a problem whose solution could be found elsewhere. We here concur with Dr. Landrum thus:

If a pregnancy occurs despite precautions the issue of abortion almost inevitably arises. Even some people who recognize that abortion is the taking of meaningful human life may, when faced with an unwanted pregnancy, seriously consider something they would otherwise abhor. If a decision is finally made that another baby is definitely not wanted, I urge that the baby be spared. The chances are excellent that it can be adopted immediately after birth. The waiting list of couples who want to adopt babies is long and growing longer all the time.<sup>5</sup>

But why has today's society chosen abortion as the best to offer? What is this problem that is so hard as not to respond to any other prescription save the shedding of blood? Dr. Thomas Hilgers et al, in their challenging article directed against the so called "Civilized" America are at a loss in their attempt to reconcile the "Civilized" American society and the uncivilized offer of abortion. Their concern runs thus:

Why does a civilized society become too threatened by its own offspring that it seeks the violence of human abortion to relieve its anxiety? Why do innocent children become such a threat that parents are moved to destroy them? why does a society which attempts to promote peace and justice continue to advocate the mass slaughter of unborn children? These questions are not easy for anyone to answer. And yet that alone does not detract from the reality of their implication: the reality of a society which is rapidly engulfing itself in fear - a fear which eventually mean its dissolution. This fear deeply rooted and multi centric in origin, is aiming the fullness of its grip toward our women and children. ... Must we not accuse ourselves of actively fostering a new prejudice; one involving a future generation, with its focus on the children of the present generation? Is? We now callously, and often flippantly, refer to our offspring as "unwanted", almost as if we never really thought about what it means to be unwanted nor paused long enough to recognize who is doing the unwanted! .... Doesn't this euphemistic categorization of a newly created " unwanted class" of human beings really represent a subtle shift in our national and individual discriminations? In a time when so much progress has been made in re - establishing the rights of the minority - rights which have always been theirs, but through subtle persuasion (and sometimes not so subtle) were denied them - we have, for the lack of a prejudicial target, refocused our discrimination toward the child, his mother and his family. We are literally abandoning women and children, as we abandoned the Indians, the Blacks, and others, in the past.<sup>6</sup>

The scenario described above is not a uniquely American case. The same is happening in Europe as a whole and the Far Eastern countries such as Japan and China. The African continent too has not been left behind. Though abortion is illegal in most of the African countries, the new wave of "Democracy" and the upsurge in feminists movements, organizations and institutions calling for the liberation of women and their economic empowerment, has resulted somehow in a major shift in the public attitude towards this otherwise abhorrent practise that initially people would not have wanted to be identified with or known to have done. Now the practise is being done not only in back alley clinics and posh private clinics in towns but even in some government hospitals, though in secret.

In Kenya we are at this point of time in the history of our country faced with only two alternatives: complacency or action. We either ignore this abhorrent practise and let it take its own course - that is to go the American way even to an extent of amending the present constitution to allow for the legalization of the practise; or we get into action now and quickly put in place the necessary plans and courses of action that will eventually help to stop the mass slaughter of the little innocent victims and uphold the long cherished principle of

the sanctity of human life and its intrinsic worth.

For sometime now we have been crying and singing about the danger looming over our country due to the threatening scourge of Aids and the so called “tribal clashes” or tribal animosities and the population explosion due to unplanned parenthood. Millions of shillings have been spent on these projects. But little has been done about the education of the public about the dangers of abortion save the one or two reports we read from the newspapers about some ladies who have either been arrested or taken to court for aborting their babies. The abortion issue has been relegated to the Catholic Church, “it is a Catholic issue”, we have often been heard to say.

We want to reiterate here in this thesis that the abortion debate is neither a Catholic nor a church issue, but rather it is a national issue that concerns every citizen of this country. It is a time bomb on which we are seated on just waiting to explode at the opportune time. But before it explodes let us act!

## **5.1 A CALL FOR ACTION: PREVENTATIVE AND CURATIVE STEPS, OPTIONS, ACTIONS, AND MEASURES.**

Below are some of the steps of action that we can take on individual, communal, institutional and organizational and governmental levels to stop the grounding and spread of the present spirit of abortion and also to offer viable alternative solutions to those faced with an abortion dilemma and recovery, and rehabilitation of those who have fallen victims to it either directly or indirectly.

### **5.1.1 PERSONAL LEVEL.**

i. It is imperative that we be informed of what is happening around us at the individual level. As an individual you should take time to read books, articles, journals, and all other kinds of literature on abortion that are in circulation. If you have money it is worth buying or subscribing for important literature and

even films and videos that have been recorded on this subject such as the film/video “whatever happened to the human race. “7

ii. Once enlightened you should have the motivation to pass on the same information to others who are in need of it not forgetting the immediate family members. You can also disseminate the same to others by actively participating in various kinds of seminars such as young adults, single mothers, married couples and widows seminars.

iii. As an individual you should be ready at all times in season and out of season to open your home, to spend time and money, and above all to show love to those who are potential victims or are victims already.

iv. If you are a nurse or a doctor you should always try your best to uphold medical ethics at the individual level. You should never forget the Oath of Hippocrates the guiding principle for physicians for centuries, which states that “none will I give a deadly drug; even if solicited, nor offer counsel to such an end, and to no woman will I give destructive suppository, but guiltless and hallowed will I keep my art.” You should make known your position at all times when called upon or when faced with a tempting situation.

v. If you as an individual is contemplating abortion, don’t give in. There is a way out for you. You don’t have to shed blood as a solution for your problem. Talk to your closest friend about it, talk to your church leaders or pastor if you go to church, or pay a visit to the counseling centers like Amani Centre and Crisis Pregnancy Centre. Be informed that even if you will not want to retain your child in the long run there are people who are ready to adopt that child.

vi. But if you are a victim of abortion already, let me encourage you to let bygones be bygones. Look ahead and see what the future holds for you. But if you are a Christian confess your sin personally to God. In Him you will find forgiveness and an entire relief of your burden. If you are a victim of past -

abortion sufferings admit that you are a sinner. Confess your sins to God (Psalm 32) and your soul shall be set free. In case you had not told your parents, or husband or the Church, and you are feeling condemned about it confess ye to them (James 5:16). Having sincerely repented and sought forgiveness from God do not permit yourself to dwell on those things any more. The Bible instructs us to dwell on those things which are right, pure and lovely (Philippians 4:8-9).

But in case you have anger and bitterness within you, get rid of them. Realize that it is ungodly to harbour bitterness (Hebrews 12:15). As a believer God expects you to love others (I Corinthians 13:1-8). Therefore you ought to put off your bitterness and willingly and prayerfully put on love (Colossians 3:13; Ephesians 4:32). Realize that though they were wrong, your anger will only harm you.

Learn from the lesson of the prodigal son (Luke 15:11-32) that though you had gone far away from Him, God still loves you and has truly forgiven you. Let the fear of alienation, guilt, fear, grief and depression be far from you now that your conscience is clear and blameless both before God and men (Acts 24:16)

vii. If you as an individual are in a position financially and socially to feed and take care of one more mouth in your home, or if you are struggling to have children in your marriage then we would encourage you to think about adopting a child. Whatever negative attitude you have about adoption whether personal, tribal or religious, re-think about it.

viii. As an individual you should always resist any attempt by the government or any other body to amend the constitution to allow for the liberalization of the abortion law.

ix. As an individual you should also make use of the media especially the press by writing letters to the editor on this issue of abortion and highlighting any case of organized illegal abortion centers or clinic.

### 5.1.2. COMMUNITY LEVEL.

i. As a community we should change our attitude towards children born out of wedlock and their mothers. This is however not to say that promiscuity should be tolerated, rather such an action should be taken as a way of solving cases that have presented themselves already. This will help solve the problem of social abortion whereby women who seek abortion of their “unwanted child” find themselves “socially aborted” long before they seek the medical abortionist.<sup>8</sup> This arises as a result of our hostile and negative attitude towards such kind of people. They feel unwelcome in a community which is infact theirs.

ii. As a community we should also rethink about our negative attitude towards adoption of children. This will help those couples who are straining to have children go for adoption freely without any fear of what the other members of the community would say. This will also help the potential victims of abortion for it assures them after all that there are people who are willing to take up their children if only they endure to the time of birth.

iii. The community should also come up with income generating projects whereby those who otherwise would have sought abortion on financial ground could find some form of a relief. Such projects should target poor widows, single mothers, individuals and families from the slum areas in our cities and remote rural areas.

In this case the self- help groups currently operational in various parts of the country should be encouraged and supported financially by all well - wishers. For theirs is a move in the right direction.

iv. The community should change its negative attitude towards deformed and mentally retarded children. And instead provide supportive social and financial assistance to families and individuals with such kind of children. In addition the members of the community should come together and set up learning centers where such kind of children can learn appropriate skills that will enable them to

be self - supporting financially where possible. This will help solve the problem of abortion and even infanticide due to deformity of the child.

### **5.13. INSTITUTIONAL AND ORGANIZATIONAL LEVEL.**

i. The Church should incorporate counseling services in their preaching and outreach ministry programs for single mothers, youth, couples and widows. In addition to that they should put up formal counseling centers like the Crisis Pregnancy Centre, Oasis Counseling Centre or the Amani Centre where even those not of their congregation can go to seek help.

ii. The Church should also come up with church based self - help projects where those poor members of the church and of the surrounding neighbourhood can have a chance to undertake some projects that will improve their standard of living. For example some churches have set up training centres whereby courses such as tailoring, pottery, basket weaving and embroidery are undertaken.

iii. The Church should also embark on family life education of her members. This will require the formulation of a systematic and ongoing training program on family life management covering such issues as management of marital conflicts, child bearing, sanctity of human life and its intrinsic worth, handling of children with deformities, the place of sex in marriage, adoption, and other vital issues.

iv. The church should also encourage members to go for adoption if they cannot bear children of their own or if they are in a social and financial position to take in one more child into their home.

v. The Church should also set up a benevolent fund to assist the poor lot in their midst and also meet emergency needs such as giving financial assistance to a mother who had wanted to abort but has now agreed to carry the child to full term. This fund will also help pay school fees expenses for those who are not able to pay on their own.



vi. Organizations such as Red Cross and other non - governmental organizations should set up sustainable projects in areas of need like the slums in our towns instead of their present way of just pouring money on unviable projects that are just proposed by individuals who want to benefit themselves in the long - run. Viable projects such as children's homes which can also double up as adoption centres and even care centres where an overburdened and distressed expectant mother seek for help and rest should be rated as priority among other self - help projects which will empower the concerned economically.

vii. Such organizations should also help in setting up counseling centres as well as funding the already existing ones.

viii. They should also provide financial support towards mass education of the public through the media and organization of seminars and vocational training at community level.

#### 5.1.4 GOVERNMENTAL LEVEL.

i. The government should undertake to safeguard the constitution from self - centered individuals, groups, or organizations who would otherwise want to change it to allow for the liberalization of the abortion law.

ii. The government should set up and strengthen existing counseling and primary health care department in government hospitals. The medical staff should also be provided with adequate training along those lines.

iii. The government is also under obligation just as it is doing in the case of Aids and family planing to formulate and launch nation wide educational campaigns through the media and public barazas to enlighten the people on the dangers associated with abortion and the need to uphold the sanctity of human life. Such educational campaigns should be incorporated into the system as part of the normal duties of the ministry of health. The government is also obligated to scrutinize the family planning campaigns for such has created a wrong impression in the minds of the public that "unplanned child is unwanted child".

This is dangerous in that it will provide a good reason for one to seek for abortion.

iv. The government should take stern measures against any individual doctor or clinic guilty of carrying out abortions. In that regard we recommend that their licenses be withdrawn and be charged in a court of law for murder.

v. The government should quicken the adoption process that is currently very lengthy and cumbersome. The positive aspect of the same should be communicated to the people as viable option for abortion or even marrying a second wife in cases where one spouse has been found to be barren or has unique complications.

vi. In spite of the current hardship in the acquisition and compilation of reports on abortion statistics, basically due to the fact that abortion in Kenya is illegal, the government should use all the available means to gather such information as this will help the government in charting a particular course of action which will be determined by the nature of available statistics.

vii. The government should also set up centres or institutions where deformed children and the mentally handicapped can be taken care of and appropriate education provided. This as we have said elsewhere in this thesis will help solve the problem of abortion and even infanticide due to deformity.

viii. The government should provide free basic education and properly run bursary programs aimed at assisting students from poor families. In this regard there is need to restructure the existing government bursary system in order to make sure that the beneficiaries of such assistance are the needy cases in the society.

ix. The government should also devise a way of regulating the issuance of burial permits especially with regard to the mushrooming private clinics in the urban centres which could be used to procure and conceal abortion cases.

There has been a very heated country wide debate in the recent past about the introduction of sex education in the curriculum in public schools. Those in favour of it cite the alarming rate of teenage pregnancies, abortions and the

consequent high rate of school dropouts. Those who are against are concerned about the danger of the system being perverted to the detriment of the children.

The need for the proper instructions of our children on matters pertaining to sex is a reality we cannot hide from. The subject of contention, however, is the forum through which such education shall be offered and the agents or disseminators of the same.

Incidentally the author has had a first hand experience in that the school where he was teaching was one of the pilot schools that had been chosen for experimentation in the introduction of the population and family life education program as part of the syllabus in the primary and secondary schools in the country. While the author was satisfied with the content to a large extent, there was a shortcoming in the moral integrity of the teachers who were supposed to handle the course. For in many cases it was an issue of “do as I say and not as I do”. Furthermore cases of teachers having raped or impregnated the very children whom they are supposed to be guiding has added more suspicion to the concern of their moral capability to handle the said subject.

The danger of the system being perverted cannot be under estimated. For some time now the American public schools have been teaching sex education as part of the schools curriculum. In spite of this there has not been any reported decline in teenage pregnancies, sexuality and abortion rates among teenagers. Instead perverted teachings on such weird practises as homosexuality, lesbianism and pornographic films, videos and literature are now being exposed to the children in schools.

It is the author's contention that while the need for the sex education to our children is indeed a necessity, the best forum is at the family level and the best agents / teachers are the parents and other members of the extended family. It is true that the extended family system in Kenya is being threatened with the challenges of modernization, but we still believe that something should be done to salvage it especially its social and moral contributions to the stability

of the family unit. The parents are under obligation to bring up and nurture their offsprings in all aspects of life. It is in the family circle that the burden of sex education of the children finally rests and not the teachers.

## **5.2 SUMMARY AND CONCLUSION**

Much has been said in the foregoing discussions and much has been left out. But if only we have been able to bring to light three points: first, the untenability of the pro-abortionist's justifications for abortion; second, the inconclusiveness of the pro-abortionist's arguments aimed at denying the fetus person hood; and third, that there are other viable alternative options to abortion, then to that end, we feel our task has been accomplished.

We have no better summary of our discussion in this thesis than in the concluding words of Thomas et al, in their article "Is abortion the best we have to offer",. In that article they conclude thus:

...The paradox of modern man is his assumption that he can turn on and turn off, seemingly at will, the respect for human life. He assumes that he can offer a woman the very best while denying her child the very least. These assumptions are invalid because they are inconsistent. Human life is a continuum; and to be consistent in its respect we must value the whole of this continuum. We cannot promote the quality of life while arbitrarily denying any aspect of our common humanity. We cannot kill a child and then say that this is the best we have to offer the mother.

The time has come for some real self - examination of ourselves as a people. We have been endowed with tremendous gifts and we possess enormous power; Whether we use these gifts for good or for evil now depends on us. Will we passively submit to man's inhumanity to man, or will we silence the abortion cry with love and concern for our suffering neighbor.<sup>9</sup>

We pray that we shall use the tremendous gifts that we have been endowed with for good now and the days to come and that we shall silence the abortion cry with love and concern for the suffering. We want to state here, as we come to the end, that ethics must proceed on the position that abortion does kill a person.

“The ethical consideration of abortion must not be treated as an isolated case, as if it had nothing to do with the whole question of the ethics of killing human beings”. As we have seen in our study above, “abortion is connected with other forms of killing such as infanticide and euthanasia”. And if the pragmatic and utilitarian theories are accepted, “not only the person hood of the unborn, but the person hood of all of us will be put in Jeopardy.”<sup>10</sup>

According to Lacomte Du Nouy, himself a believer in reincarnation and immortality of the soul in his book *Human Destiny*, mankind is going through a teleological evolution. Humanity is climbing up the ladder of perfection. It is a moral and spiritual progression rather than the physiological or anatomical changes. He states his positive and optimistic vision of the destiny of humanity thus:

The destiny of the ongoing process of evolution is a superior race of morally and spiritually perfect men and women whose souls have been perfected in the course of this passage through their bodies, who have fully understood the conflict between flesh and the spirit of which they have triumphed over matter; they alone represent the evolution group and are the forerunners of the superior race to come.<sup>11</sup>

It is our hope and wish that Du Nouy’s optimistic vision would stand the test of reality today. However, a glance at what is happening in the world today especially the abortion saga and its related evils, infanticide and euthanasia reveals that the contrary is the case. Humanity is climbing down the ladder of destruction headed towards the abyss of moral degradation and indifferent and negative attitude towards the value of human life. They are the semblance of the biblical Sodom and Gomorrah and the ancient pagan societies and the forerunners of a confused and amoral race to come.

On the questions of “When is human life worth living?” and the value of human life as human life, J. Teichman and C.E. Katherin in their book *Philosophy: Beginners Guide* are of the the contention that although utilitarianism holds that the ultimate goal of life is happiness “It makes sense”, they say, “to regard life itself, whether it be happy or unhappy, as having

values.”<sup>12</sup>

Many people especially the ordinary, would want to go on living even if by opting to do so, their unhappiness will greatly outweigh happiness. Life as life is considered as an intrinsic good. It is “as if”, they contend life itself is the the ultimate value.”<sup>13</sup>

It is in light of the above understanding that they refute the utilitarian position, accusing it of putting the cart before the horse. For them we do not intrinsically desire to stay alive in order to be happy and healthy, on the contrary we intrinsically want to be happy and healthy because that helps us to stay alive. It is their strong contention that even an unhappy life is worth living, especially for the person who leads it. Therefore such evil practises as euthanasia or mercy killing should be rejected in that they are inhuman. They write thus:

Life in captivity can be good, that is, better than premature death, life with a prolonged illness can be good, that is better than premature death and a life of perpetual shortages of (food, housing, and health care) is generally regarded as better than premature death by those who live it.<sup>14</sup>

We are in total agreement with their position on the intrinsic value of human life. Human life as human life is worth living for its own sake. All the hardships that we go through in this world, be it financial, spiritual, physical or psychological are part and parcel of life. Life is not just a bed of roses, it is a bed of thorns too. It is imperative that we all understand this holistic view of life. We ought to face such hardships with determination, soberness and courage knowing that even if they persist one day they will come to a natural end in one way or another.

We are not pessimists though we are being tempted by the facts before us to be . But we will not give in. We believe in an all powerful and omniscient God who is able to change the seemingly unchangeable things. we know time is running out, but it has not run out yet. All is not lost yet. We do concur here with Landrum that “although the momentum is still very much with the pro -



abortion forces, there are a number of factors at work that may diminish that momentum in the near future:

i. the increasing knowledge of the unborn will breed respect, not contempt and that the more we learn about the unborn through modern scientific discoveries in fetology, embryology and neonatology the more difficult in conscience it will become for us to kill that life,

ii. with the constantly improving birth control facilities the need for abortion may diminish - some of these facilities however are abortifacient,

iii. the cost - effectiveness of abortion as a solution to social problem is likely to backfire as people realize the insurmountable cost and risk of post - abortion effects, and lastly,

iv. history teaches us that few movements last forever. I believe that as the abortion saga becomes increasingly callous and abusive of human rights, "the tide of public opinion" as Landrum observes , will begin to flow the other way. The extreme dangers and injustices of the "quality of life" ethic will finally be widely perceived as an ever - increasing number of social groups find themselves imperiled by the ethic. Then approval will yield to opprobrium.<sup>15</sup>

## REFERENCE NOTES

1. Shaeffer, "It is your life That is involved", in *Who is for Life*, edited by Mother Teresa et al, p.39.
2. See appendix 3 for full content of the Oath.
3. "Woman gives birth to seven babies in minutes", in *Daily Nation* Nov.21 1997,p.10.
4. *Daily Nation* Nov. 28,1997,p.4.
5. Dr. Landrum, *Rites of Life*, p.159.
6. Dr. Thomas Hilgers, "Is abortion the best we have to offer", in *Abortion and Social Justice*,pp.177-178.
7. By Francis Shaeffer and Everett Koop.
8. Dr. Hilgers et al, *Op.C it.*, P.79.
9. *Ibid.*, p.196.
10. Grisez, *Abortion*, p.306.
11. Du Nouy, *Human Destiny*, p.187.
12. *Ibid.*, p.228.
13. *Ibid.*, p.226.
14. *Ibid.*
15. Dr. Landrum, *Op. Cit.*, pp.161-162.



APPENDIX 2**THE LANGUAGE OF EXTERMINATIVE MEDICINE.**

NAZI GERMANY		CONTEMPORARY AMERICA	
HARSH REALITIES (What actually happened)	LINGUISTIC DISTORTIONS (Perpetrator's version of what happened)	HARSH REALITIES (What Actually happened)	LINGUISTIC DISTORTIONS (Perpetrator's version of what happened)
<b>MEDICAL OPERATION</b>			
The killing of human beings in concentration camps	"A medical operation". (Former death camp doctors, 1979)	The killing of unborn Children in hospitals and Clinics	"A minor surgical operation (Dr. Carl O. Rice, 1973).
<b>PROCEDURE</b>			
The gassing of lice infested female inmates at Auschwitz	"This procedure" (Dr. Ella Lingens, Auschwitz Trial, 1964)	Piercing the heart of an afflicted twin in utero at New York's Mount Sinai Hospital.	"The procedure " (Drs. Thomas Kerenyi and Usha Cuitkara, 1981)
<b>INFECTION</b>			
The gassing of women afflicted with scarlet fever at Auschwitz I Infection"	"The intensive struggle against the propagation of (or Josef Mengele 1944 )	A justification for unborn baby killing .	A perception of unwanted pregnancy as "an unseen Infection" ( Dr Natalie Shainen, 1970)
<b>REMOVAL OF APPENDIX</b>			
The extermination of Jews at Auschwitz	"When you find a gangrenous appendix you must remove it" (Dr. Fritz Klein, 1944)	The destruction of unborn Children	"Operating on an appendix or removing gangrenous bowel" ( Dr Alan F. Guttmacher, 1968)
<b>TREATMENT OF DISEASE</b>			
Lethal infections administered to patients at the Hadamar Euthanasia hospital.	"Treatment of their lung disease." (Nurse Heinrich Ruoff, Hadamar Trial, 1947)	The promotion of abortion for unwanted unborn Children.	"Treatment for unwanted pregnancy. The number two Sexually transmitted disease." (Dr. Willard Lates, 1976)
<b>CHARITABLE ORGANIZATIONS</b>			
Killing centres for physically and mentally ill patients.	"Charitable Foundation for institutional care". (official designation of organisations for implementing the euthanasia program.	Killing centers for the unborn	"Charitable organizations engaged in "promoting health." Official designation given to abortion chambers by Internal Revenue Service).
<b>SERVICE</b>			
Extermination squads responsible for shooting to death millions in the East.	"special service groups". (Routine regimental reports, 1941).	Individuals, groups, and facilities responsible for the destruction of over 1.5 million unborn children each year.	"Service providers. " (Stanley K. Heushaw, Alan Gutt. Macher institute, 1982)

## APPENDIX I

## SEMANTIC CAMOUFLAGE IN THE SERVICE OF HOLOCAUSTS PAST AND PRESENT

NAZI GERMANY		CONTEMPORARY AMERICA	
HARSH REALITIES (What actually of what happened)	LINGUISTIC DISTORTIONS (Perpetrator's version of of what happened)	HARSH REALITIES (What actually happened) (Perpetrator's version of what happened)	LINGUISTIC DISTORTIONS (Perpetrator's version of what happened)
<b>SELECTION CHOICE</b>			
The right to decide "Which cumates would be dispatched to the gas chamber	" Selection"	The right to decide Which unborn children will be dispatched to the abortion chamber	"Choice
<b>EVACUATION</b>			
The suffocation of 15,000 Women and children in gas vans	They were evacuated (Nazi report, 1941)	The killing of 4,463 unborn, children in North Carolina hospitals	"The uterus was evacuated" (Dr. David A. Edelman, 1974)
<b>EMPTIED</b>			
The dispatching of Baron de Hirsh ghetto Inhabitants to the gas Chambers	The "ghetto" would have to be emptied	The destruction of unborn children	" The uterus is gently emptied (National Abortion rights action league )
<b>REMOVAL</b>			
The annihilation of Polish Jews	"Removal of the Jewish elements' (Hans Frank, 1943).	The extermination of 71 Unborn Human lives by Injection of Prostaglandins	"Removetheproducts of Conception" (Dr. Thomas F. Dillion, 1974).
<b>CLEAN UP</b>			
The destruction of the general government	"A total clean up". (order of Heinnch Himmler, 1942)	The dismemberment of unborn children with a suction machine	"A final clean up". Jews in the (Planned Parenthood of New York city, 1973.
<b>PREGNANCY INTERRUPTION</b>			
The killing of the Unborn at Auschwitz	"Interruption of pregnancy of female Eastern workers" (Labor office memo 1944)	The salt poisoning of 5,000 Unborn children in a New York Hospital	"The interruption for mid trimesterPregnancy" (Dr. Thomas D. Kesenyi, 1973).
<b>HUMANENESS</b>			
The destruction of nearly one million people at Treblinka concentration camp.	"The beauty of the task" represents a "humane cause" ( Dr Pfannenstiel, 1942 )	The destruction of unborn Children in the first trimester of gestation	"A consistently high quality humane service" (Dr. Michael S. Burnhill, 1975).

APPENDIX 3THE HIPPOCRATIC OATH

I swear by Apollo the physician, and Aesculapis, and Hygeia, and Panacea, and all the gods and goddesses that, according to my ability and judgement, I will keep this oath and this stipulation - to reckon him who taught me this art equally dear to me as my parents, to share my substance with him, and relieve his necessities if required; to look upon his offspring in the same footing as my own brothers, and to teach them this art, if they shall wish to learn it, without fee or stipulation, and that by precept, lecture, and every other mode of instruction, I will impart knowledge of the art to my sons and those of my teachers, and to disciples bound by a stipulation and oath according to the law of medicine, but to none others. I will follow that system of regimen which according to my ability and judgement, I consider for the benefit of my patients, and abstain from whatever is deleterious and mischievous. I will give no deadly medicine to anyone if asked, nor suggest any such counsel; and in like manner I will not give to a woman a pessary to produce abortion. With purity and holiness I will pass my life and practise my art. I will not cut persons labouring under the stone, but will leave this to be done by men who practitioners of this work. Into whatever house I enter, I will go into them for the benefit of the sick, and will abstain from every voluntary act of mischief and corruption; and further, from the seduction of females or males, of freemen and slaves. Whatever in connection with it, I see or hear, in the life of men, which ought not to be spoken of abroad, I will not divulge, as reckoning that all such should be kept secret. While I continue to keep this oath unviolated, may it be granted to me to enjoy life and the practise of the art, respected by all men, in all times! But should I trespass and violate this oath, may the reverse be my lot!

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