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**DOES A FETUS POSSESS MORAL STATUS OF A HUMAN BEING?**  
**THE PROBLEM OF MORAL PERMISSIBILITY OF ABORTION**

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**Introduction:**

A debate is going on about abortion whether it is ethically right or wrong. Ethical consideration of abortion incorporates the legal aspects of abortion as well. Besides the question regarding the moral status of the fetus there is another argument which states that if the physicians and other health care providers are involved in the act of abortion then it might carry away their health caring protective attitude. On the other hand, there is also argument in favour of the women that it is her body to take any decision about abortion and her fertility. Besides it, there is a chain of arguments in favour of abortion like controlling population, unwanted child birth or the risk of mother during child birth and so on. So, there is a moral conflict between the unborn child that the woman harbors and the pregnant woman. Abortion indicates a destruction of human fetus deliberately at any stage before the birth of the child. Abortion is mainly of two types; those are spontaneous and induced. Spontaneous abortion means a miscarriage of fetus even before the woman's realization of her getting pregnancy. It is occurred due to natural cause. Whereas induced abortion is performed with a purpose. So, it is a purposeful termination of a woman's pregnancy.<sup>1</sup> So it is a deliberate attempt to destroy a human embryo and it is basically of two types: illegal and legal abortion. Ethical issues are involved in this induced type of abortion. Now, legal induced abortion is permitted by law hence there are no reason of fear to be punished still it might not be justified ethically.

**Reasons behind abortion:**

There are various reasons of performing abortion such as pre-natal organism where the woman who carries the egg may be at life risk at the time of delivery. In case of pre-natal organism, the woman carries the egg is either too young or too old to carry it. Sometimes, the parents think it is an economical burden to the family to have a more child. And sometimes, a

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<sup>1</sup> Sissela Bok, "Ethical Problems of Abortion," *The Hastings Center Studies* 2, no. 1 (1974): 33–52, <https://doi.org/https://doi.org/10.2307/3527499>.

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woman seeks for abortion because of societal stigma that she got pregnancy before marriage. Sometimes, the couple thinks that if a new born comes then it may affect their newly married happy life hence they go for abortion. Some may go for sex selection before the baby born to be sure about their preference or choice and if it is not goes according to their choice of sex then they seeks for abortion.<sup>2</sup> In reality, many women seeks for the termination of their pregnancy for various reasons; that may be a for health condition of the woman herself or the new born fetus or any other reason which can affect the societal life of a woman. In such cases, since abortion is not legally permitted then a most of the women are used to take a harmful path to get done the act of abortion which in turn actually harms the health of that woman.

**Arguments in favor of abortion:**

In this section of this paper, firstly, we will explain the views in favour of abortion and secondly, we will discuss the views against abortion. Supporters of abortion do provide several arguments to justify the act of abortion. One may say that it is the body of a particular woman so she has the right to do anything to her own body. A woman can perform the act of abortion to her own body if and only if she wills to do so. Some feminists think that it is a matter of personal conscience to carry a pre-natal organism so there is nothing non-moral. It is called pro-choice argument for abortion.<sup>3</sup>

Most of the pro-choice argument providers say that their position does not affect the universally accepted moral principles like “Being a person is what gives an individual intrinsic moral worth” and “It is only seriously prima facie wrong to take the life of a member of the human community”<sup>4</sup>. They even provide extrinsic and intrinsic value based pro choice arguments. Advocates of the abortion support it on the ground that it is the right of the woman to perform abortion just like cutting her hair or any disfiguring growth; they fail to understand the significance of life within a life and they fail to observe that in case of abortion consent from the fetus cannot be taken. It brings in the most important question that whether the fetus is to be thought of a human being and killing of a fetus is equally wrong as that of killing a human being. There is another question that whether should a person depend on another

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<sup>2</sup> Ibid, 33-52.

<sup>3</sup> Don Marquise, “Why abortion is immoral”, *Applied Ethics*, (2017) pp. 367-373.

<sup>4</sup> Ibid, 367-373.

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person's bodily process against her desire? Judith Thomson cogently argued that if a woman gets fertile due to rape or unawareness should not have the duty to carry the pregnancy and he states that having a right to life does not guarantee either having a right to be given the use of or the right be allowed of continued use of another person's body even if one needs it for life itself.<sup>5</sup> In this context, we might need to distinguish between directly killing a new born and indirectly cessation of life support of the mother. The technique of prevention of implementation of fertilization of egg and bringing about menstruation is more active cassation of life support rather than abortion where the fetus is used to be decomposed and killed. On the other hand, question would arise that if a parent consciously enters into a pregnancy and after eighteenth weeks of the development of the fetus finds that the new comer is affected with some genetic disease then can they decide to withdraw life support by stating that they do not wish to give birth such defective child at this stage? This situation breeds the question that can fetus receive equal protection of life as that of human being since it has the potential to become a full-fledged human being.

Extrinsic value-based arguments are to support the fruitful or good consequence of the abortion. And the intrinsic value-based arguments talked about the women freedom and autonomy to her body in the context of abortion. According to Peter Singer, "fetuses have led to the hope of finding cures for many serious illnesses by the transplantation of tissue or cells from the fetus. In comparison with the adult tissue, fetal tissues are used to grow better after transplantation and to be less likely to be refused by the patient. The example that has received the most publicity to date is Parkinson's disease, but the use of fetal tissue has also been suggested in the treatment of Alzheimer's Disease, Huntington's Disease, and diabetes; and fetal transplants have been used to save the life of another fetus, in a case in which a 30 week old fetus, in utero, suffering from a fatal immune system disorder was given fetal cells from aborted fetuses"<sup>6</sup>.

**Analyzing various arguments or aspects against abortion: Moral status of fetus, personhood and viability concept**

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<sup>5</sup> Judith Thomson, "A Defense of Abortion", *Philosophy and Public Policy* 1 (1971), 47-66.

<sup>6</sup> Peter Singer, *Practical Ethics* (Cambridge: Cambridge University Press, 2003). 163.

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There are many ethicists those who are against the act termination of pregnancy and their arguments mainly founded on the issue of moral status of the fetus. Here are some important aspects of abortion; such as: what is the moral status of embryo? So the arguments against the act of abortion mainly revolve around the moral status of the fetus.

Whether an embryo is a full human being or not? Is it a homicide? To judge whether abortion is ethically right or wrong we need to focus on such questions. Now, why the loss of human embryos raise question about human value? The status of human embryo is one of the most important issues in the context of abortion debate. The question is whether the fetus has the equal moral significance and rights of life as that of the woman in whose body it is growing up? And if it has the equal moral significance then it should have possessed the moral status of a full- fledged human being. According to the religious views, the main concerning part is the matter of ensoulment that is the human embryo has a soul within it. A soul resides in a human embryo. On the other hand, there are also so many secular views against deliberate termination of pregnancy. Ethicists like John Noonan opined that the time when the Zygote gets 23 pairs of chromosomes to build a human genetic coding is the point when the fetus should be considered as a human being.<sup>7</sup> Thus he explained the process of human genetic coding. Now that problem arises that many people would not accept this time period enough for a Zygote cell to become a full human being because any other stem cell can also has the full genetic coding then they are supposed to be considered as a human being though it is not the case. There is another opinion regarding the starting point of life considers the origin of brainwaves as the beginning of life as it makes the fetus to feel pain or to hold consciousness. Many neurophysiologists argue that sentience is also an important criterion for the moral significance of the fetus. Many neurophysiologists argue that the fetus can gain rudimentary ability of sentience at any time during the period of second trimetric of the pregnancy. Hence may people argue that there is no moral issue in termination of pregnancy at the very initial stage because at that point of time the fetus cannot be considered as being with her own interest of life until and unless it gains sentience. Mary Ann Warren points out that murder of a human being and termination of pregnancy are not equal. As she opines, “the principle of respect for the interests

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<sup>7</sup> John Noonan, ‘An Almost Absolute Value in History’. In James E. White (ed.) 1991, *Contemporary Moral Problems*, 3<sup>rd</sup> Edition, (St. Paul, MN: West Publishing): p. 60.

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of sentient beings does not imply that all sentient beings have an equal right to life”.<sup>8</sup> It is a very important ethical obligation that all sentient creatures those who have central nervous system will receive equal respect and moral status and hence it incorporates some invertebrates creatures like insects. Thus, it would lead to a moral dilemma even in killing an insect. Such problem can be vided by differentiating the degree of sentience in different animals as we see human beings possess richer degree of sentience and consciousness than any other animals.

One opinion states that the viability when the fetus is able to reside outside the woman body There is a view which states that since an embryo can be seen as a person as it has potential to be a full human being in future. If a person is killed or wounded by another person is morally wrong then the destruction of human embryos is also considered as morally wrong. It should be remembered that an embryo before 14 days of its fertilization remains as a mass of homogenous cells. So, during that period of time an embryo does not acquire the moral status of a person. So, in that time span an embryo has the potential to acquire the status of a person in 14 days; after that period of time, it starts evolving gradually.

On the other hand, those who are against moral permissibility of abortion also provide extrinsic and intrinsic value-based argument. For them, extrinsic value-based argument is concerned about the consequence like post abortion health risk and syndrome of the woman and intrinsic value-based argument is concerned about the right of the potential human embryo because it has the right to become a full human being or a person. So, from deontological approach, a human embryo has the right to life no matter what amount of societal or economical or personal suffering the woman will be going through. But from the utilitarian approach, what is good for an individual or a group can be considered as right and from this perspective it can be considered as ethical to perform the act of abortion as it prevents unwanted child, over population etc.

Pro-life moral ethicist like J. Noonan and F. J. Beckwith claim that an entity has moral status, if it is a human being. According to them, the act of abortion should not be morally

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<sup>8</sup> Mary Anne Warren, ‘Abortion’, in Peter Singer (ed.) 1993, A Companion to Ethics, (Cambridge, MA: Blackwell): pp. 308-9.

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justified because it destroys the life of a human being in the form of embryo and who is a potential human being. So, for them, if a murdering a human being or person is not ethical then murdering a potential human being or embryo is also not ethical.<sup>9</sup> Here, in the context of having moral status of an embryo they say that embryos possess moral status in virtue of their being human in future. However, being sentience does not imply the moral impossibility of abortion rather those who are in favour of sentience criterion need to distinguish the degree of sentience in different creatures. Personhood is an important feature to defend abortion. Personhood defined as the possession of some complex capacities of reasoning or faculty of reason, self-respect, self-awareness and so on and it is accepted that the fetal stage lacks such mental capacities.

**CONCLUSION:**

It is difficult to accept that the reason behind most of the women's request to perform abortion is not a wanton or frivolous and helpless desire; especially given the situation when the women are at risk or physical invasiveness. Women are always used to take the decision of performing abortion with a well thought attitude especially they think about the ethical pros and cons as well as the health condition of her body and the child. Abortion can be considered as a choice of women and it gives value to women rights and freedom of will. If the fetus or embryo is in ontological form then the act of abortion refuses the right to life of the embryo or potential human being. One might say that abortion is an act of murder of a potential human being in the form of fetus or embryo and any action which is harmful to a person is wrong. Though there are many people who think it justified to destroy human embryo if it has a chance of defective formation of human child. At the early stage of pregnancy, the act of abortion does not create any problem but as the pregnancy progresses the conflicts arise and the reasons behind protecting the life is viability, capacity to live outside the mother's body independently becomes substantial at the time of birth and thereafter. Both social and individual reasons against the act of abortion might be looked upon in every situation. Suppose, a doctor who is involved in the act of abortion. Similarly, the parents or mother who is decided to perform abortion may follow some criterion to overcome ethical dilemma; such as whether the

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<sup>9</sup> John Noonan, 'An Almost Absolute Value in History'. In James E. White (ed.) 1991, *Contemporary Moral Problems*, 3rd Edition, (St. Paul, MN: West Publishing): p. 60.

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pregnancy voluntarily or willingly undertaken, the technique of abortion that whether it is cessation of life support or just outright killing a fetus and all the alternatives should be weighed or looked after before choosing abortion and finally both of the parents need to agree on the decision of abortion. To conclude, we can say that moral justifiability of abortion is quite controversial in nature as we have discussed following the argument of pro-life potential human being abortion is morally wrong, not only because the prenatal organisms are already started developed as a human being, but because they have the potential to become a person. The prenatal organisms are considered as a human being because of their potentiality to become an adult rational or conscious human being in future. Still, we may think that they cannot separate themselves from the act of such brutalization and responsibility of helping others to end a life by performing abortion. Hence one might claim that if the women have the right to do abortion, then the physicians will also have the right to not involved in such act and this will create another ethical problem. One might consider abortion as morally permissible only in cases where the woman is a victim of any kind of violence or may fall at risk of life. The debate regarding the moral justification of abortion will only give us a solution or justice if it acknowledges the women's condition or situation in which unwanted pregnancy occurred.

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