

Abortion 'A Birth Control Measure'

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Abstract

Abortion - *the deliberate termination of a pregnancy*. This term has circulated amongst societies for decades; the procedure, for even centuries. What is meant to bring joy and happiness to a couple at their finding that they are pregnant, instead becomes a problem that needs fixing, and relief from this problem is procured by suddenly removing the growing child from the mother's womb, terminating the pregnancy. What brings the potential mother and father to conclude that aborting their child is the best way to deal with the unwelcomed news, that abortion is a means to an end of a lingering problem. Hence abortion has and is being used as another form of birth control and for the sake of convenience takes tens of thousands of lives each year. The position of this author is that abortion should not be used as a convenient method of birth control. The following discursion will reveal what Australian law declares concerning abortion, such as the differing laws within the country's states, along with some abortion statistics that is not far fetched to say that it equates closely to a million in just a decade; along with some of the reasons surrounding the decisions of women terminating their pregnancy for example, being the wrong time; at what stage is personhood adjudicated and a person judged worthy of rights to life; in addition to, what happens in the initial weeks of conception. Furthermore the suggestion is made for further research in the area of population regarding fertility rates and the impact that abortion is potentially having on Australia's population issues.

Abortion should not be used as a convenient method of birth control. Discuss.

In the twentieth century, the topic of abortion has created heated discussion and in recent decades has seen itself removed as an act of criminal offence and replaced as an act of personal choice and this choice finding its grounds on many differing personal reasons, some seeming to be convenient birth control measures. Although abortion is not exclusively a twentieth century issue, but rather dates back centuries, the intense discussions are consumed with questions about whether an unborn child starts at conception, as being a human being with rights to live, or starts out as just a bunch of cellular matter and therefore no rights to life. The position of this author stands that abortion should not be used as a convenient method of birth control; however, under extreme circumstances one would seem persuaded into believing it is a justifiable *act of choice*. In this essay, discussion within the following paragraphs will cover various aspects surrounding the abortion issue including: abortion in Australian law and statistics, reasons surrounding abortion as a birth control measure, at what stage is a human being considered to be a person with rights to life, in addition to, what takes place in those initial weeks proceeding conception.

Australian law surrounding abortion can be seen as quite dubious, with each state having different verdicts on why, when and by whom a termination of a pregnancy can take place without it being branded a criminal offence. Individual State jurisdiction describes them as follows: Queensland Criminal Code (1899, ss. 224-226, 282) claims, anyone, including the pregnant woman, attempting to procure an abortion in anyway are guilty of a criminal offence; abortion is only legal when it is in the best interest of the mother's life in the opinion of a medical practitioner. New South Wales Crimes Act (1900, ss. 82-84) and Victoria Crimes Act (1958, ss. 65-66) both state similar laws to that of Queensland regarding the above mentioned. South Australia Criminal Law Consolidation Act (1935, ss. 81-82A) also states the above mentioned, however, includes laws that accept termination of an unborn child if there is evidence the child had developed abnormalities. Western Australia Criminal Code (1913, s. 199) and Health Act (1911, s. 334) allow abortions up to 20 weeks gestation and there after accept termination on the grounds of two medical professional opinions that the mother or unborn child are at risk. Tasmania Criminal

Code (1924, ss. 134-135, 164-165) legally justifies abortion when two medical professionals deem it necessary for the sake of the mother or the child. The Northern Territory Criminal Code (2013, s. 170) has seen abortion laws repealed which previously held similar laws to that of other states and Australian Capital Territory has decriminalized abortion and only holds laws regarding who performs them and where they are performed according to the Medical Practitioners (Maternal Health) Amendment Act (2002, ss. 55A-55D). Regardless of these laws that would seem to substantially limit the number of abortions performed each year, yet the figures are still astounding. In Australia, abortion statistics are not frequently recorded and therefore only estimations have been made. Stated in a research analysis conducted by Chan & Sage (2005, par. 18), estimated abortions in 2003 were 84,460, in comparison to 1995 which saw 90,182 abortions, with this rate being relatively similar in all years studied. With an estimated 14,000 procured in Queensland in 2001-2002 (Queensland Parliamentary Library 2003, p.16). These numbers reach a greater proximity of 100,000 unborn children being terminated each year, but our law claims that it is not a criminal offence when it is in the best interest of the mother's current situation.

Equally important obviously are the mothers or *potential mothers* themselves and why they would conclude that an abortion is the appropriate way to deal with an unwanted pregnancy. The reasoning's behind an abortion vary between women but all conclude to one thing, that the child *is* unwanted! Some of those reasons would seem justifiable and some outrageously unjustifiable. Following is a citation from Healey claiming:

"An analysis of 3018 women seeking termination between October 2006 and September 2007 showed 1026, or 34 per cent listed reason as "does not want children now" or "not the right time". ...547, or 18 per cent...already enough children, 263, or 9 per cent...caring for young baby, and 339, or 11 per cent...too young." (ed. 2010, p.3)

Additionally, 19 per cent listed economic, relational and health reasons and only 1 per cent of the cases accounted for rape (ed. Healey 2010, p.3). Also mentioned in The Medical Journal of Australia (2004, p.202), of the approximate 100,000 terminations each year only 2 per cent account for foetal abnormalities leaving the

remainder to socioeconomic reasons. The Medical professional reasons to recommend, authorize or perform terminations are based on a mother's health risk, both mentally and physically, or extreme abnormalities to the child, as stated in State legislations (Queensland Parliamentary Library 2003). A woman's life is undoubtedly valuable and measures need to be taken in the event that her life would be endangered, conversely, statistics show the majority of reasons to terminate a pregnancy are self-absorbed.

This leads to the question, is a person considered a person as an unborn child or as a grown adult? According to some, not until there is awareness of the fact. Tooley's stated:

"An organism possesses a serious right to life only if it possesses the concept of self as a continuing subject of experiences and other mental states and believes that it is itself such a continuing entity". (cited in Kaczor 2005, p.6)

This statement conduces, unborn children, infants, toddlers, even some of those disabled, to not having the *right to life* because they are of little concept of themselves. Kaczor (2010, p.38) also discusses another author's point of view, that there was a difference between a '*person*' and a '*human being*' and just by being a meagre human being didn't give you rights and respect to live; to obtain that right and respect you needed to be a proper '*person*'. This view contained criteria equivalent to: an interior and exterior consciousness, the ability to reason, self motivation and the ability to communicate and finally, self-identification i.e. having an awareness and concept of self (Warren 1973, cited in Kaczor 2010, pp. 38-39). Kaczor (2010, p.39) agrees this point by stating: "[t]hat even if the human fetus [sic] is not a person, it is at least a *potential* person and the rights of a potential person should count for something". Additionally, if personhood doesn't begin till sometime after birth, making abortion defensible, then one would also have to defend the intentional killing of new born babies or infanticide (Kaczor 2010, p.13). Certainly a child is both a human being and a proper person whilst developing in the womb, words of the Holy Bible state "for the life of all flesh is its blood" (Leviticus 17:14), meaning, if there is blood there is life and therefore a right to live.

The descriptions previously stated depicting when a human is considered a person is quite disturbing with seemingly a space of time determining whether one can claim personhood. It would seem absurd to plant a particular seed and expect it to produce something different, equally absurd is to expect the seed of a person to not produce a person. When conception occurs it takes merely a few weeks of development for the embryo to represent a human being. Just inside four weeks the embryo is slightly over half a centimetre and has already developed blood and a beating heart along with the beginning stages of eyes, ears, brain, and spinal cord (Tortora & Grabowski, 2003, pp. 490, 688, 756, 1080). The five major states in Australia allow termination up to 20 weeks gestation with Tasmania and the Territories only allowing up to 14 weeks unless other circumstances persist (ed. Healey 2010, pp. 20-21). Considerable foetal growth has been achieved by these weeks, with respect to the advancement already gained in the initial weeks. However circumstances and views on this issue seem to out way the fact that a child '*person*' is developing within the mother's womb and yet really has no claim on life. Another way to view this is that abortion would seem to be a convenient method of birth control and depicting personhood status based on a timeframe would support this observation.

Therefore, abortion is seemingly a quick fix to a problem, and in Australian law, medical professionals are given the authority to recommend or license that an abortion is necessary or appropriate. What is alarming though, as outlined before, is that research has shown that the grounds for a woman's decision to terminate a pregnancy would not fit the category of justifiable reasons stated in law, but rather are birth control measures that would, in the woman's mind, right a wrong; wrong time, wrong relational status, wrong financial status, wrong emotional status, wrong educational status, and the list continues. Additionally then, are those who conclude that the beginning stages of life are not worth anything and therefore no consciousness of the life that is being destroyed. Ultimately any life regardless of the complications that it may bring does not deserve to perish before having a chance to live. Other measures can and should be taken to ensure the life of an unborn child is deemed as precious and worthy of living; possible measures regarding adoption in

Australia can be considered as there are many couples that are unable to conceive resulting in unwanted pregnancies becoming wanted adopted children. Furthermore, suggestion is made for further research into abortion and its effects on fertility rates and the impact on the Australian population issues; which is obviously not discussed in this essay, but discussion could be made regarding the slaying of unborn children balanced against the need for more migrants to fill the fissure. The number of terminated children could sure fill the fissure, then abortion could expire as being a convenient method of birth control and reasonably it could be abolished.

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