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Quietly Conscious: A Discussion of Fetal Personhood and Abortion

Roe vs. Wade was an important victory for American feminists on January 22, 1973; abortion was made legal before the confirmation of fetal viability, and a woman's right to privacy was upheld. But the underlying battle to define the value of human life has been around since the 1st chapter of history books. Though Ancient Rome saw abortion as an acceptable way to end unwanted pregnancy, a fetus in Ancient Persia was seen as a valuable life, the government taking many measures to prevent unplanned pregnancies and help the mothers who found themselves in difficult situations (Yarmohammadi, Zargaran, Vatanpour, Abedini, Adhami, 2013, pp. 293-296). Currently, the debate for life has maintained its momentum and is as relevant a discussion in our local community as it was back in the Ancient world and the D.C. Courtroom. For the year 2013, Fredericksburg City reported a total live birth amount of 417 matched to a total of 304 abortions ("Health Profile, Fredericksburg City, 2013," 2015). That is, the number of abortions amounted to nearly 73% of live births. I believe that abortion is a life ending procedure that discards the most vulnerable of the world, and though unable to be independent outside the womb, during pregnancy an embryo experiences pain, is the victim of profiling, and may be more human than ever considered before.

As humans, one of our noblest instincts is the need to help an innocent being dealing with a great amount of pain. In "Locating the Beginnings of Pain," Steve Derbyshire (1999) theorized that after realistically reviewing scientific data, the development of a fetus is not advanced enough, either consciously or neurologically, to fully experience the feeling of pain, even after birth (p.30). Written as a counterargument to Derbyshire's article, David Benatar's and Michael Benatar's (2001) "A Pain in the Fetus: Toward Ending Confusion about Fetal Pain" argued that by reexamining fetal neural anatomy, the reactions of certain organs to stimuli, and the

corresponding fetal behavioral response, they reopen the discussion to make a compelling case for fetal pain after 28-30 weeks (p.75). Not only do these two authors support the idea of fetal pain, they also toy with the idea that fetuses may experience more pain than adults (p.75). It is interesting to note, that from both sides of the Abortion issue fetal pain is an argument for personhood. If a person were paralyzed, unable to feel anything, would it still be right to physically harm her? Certainly, pain should not be the deciding factor of whether or not a fetus, or embryo, is a human being. But if more studies show that a fetus can experience discomfort, even from an underdeveloped level, Americans need to understand that not only could abortion be ending life, but that it could be doing so inhumanely and cruel.

Not only have new advances in medicine shown the possibility of fetal pain, but they have also unveiled the outcome of a pregnancy earlier. And with the privacy that abortion laws enable, some women are able to escape, not solve, a future that makes them uncomfortable. Pregnancy many times forces difficult decisions; for example, Montana mother Hallie Flores found out she had an aggressive form of breast cancer while she was pregnant with her young daughter (Matheson, 2015, para. 7). Although dilemmas can be morally difficult, recent studies have shown that the idea of a planned pregnancy has moved into a practice where different can be discarded. For example, one of the largest studies completed on abortion in regards to Down Syndrome showed hospital based research from six states and the DC district reporting an average of 85% (going from 60-90%) of women choosing to abort after an identification of Down Syndrome in the fetus (Natoli, Ackerman, McDermott, & Edwards, 2012, p.150). According to the article “An Increase in the Sex Ratio of Births to India-Born Mother’s in England and Wales: Evidence for Sex-Selective Abortion,” authors Sylvie Dubac and David Coleman conclude that studies collected on the ratio of male to female births of immigrant

mothers display abortion being used by certain male preferring cultures as tool for gender discrimination (Dubac & Coleman, 2007, pp. 396-397). The whole concept behind *Roe vs. Wade* is the right to choose. In the case of Hallie Flores, she chose to keep her child, take chemo, contrary to the usual options of either having abortion or waiting until birth, and is currently fighting cancer with her new healthy preemie (Matheson, 2015, para. 14). The idea of choosing to abort due to disabilities or gender should be sorrowful, but when the value of life is left undefined during pregnancy, a quiet discrimination is allowed to take place among women, where their judgment alone decides whether a fetus is valuable enough to survive.

While there are many reasons why abortion needs to be rethought in our country, supporters of abortion, or better known as Pro-Choice advocates, have many arguments defending the practice of this controversial procedure. The first and probably most widely used argument is the mother's right of choice and privacy when it comes to her body. A woman's right to own her body is certainly important; during the year 2011, the United States estimated a total of 4,774,000 women who had been victims of physical abuse (Breiding et al., 2014, table 6). This number is appalling, and awareness should be brought to women are being dominated and harmed in the US. In the case of fetal personhood, the argument for women's rights is just as valid; many pro-life supporters simply wish to add that a fetus should be considered an independent person as well. Just recently, a young Texan mother, Amanda Blackburn, was killed while 12 weeks pregnant causing the fetus to die as well (Chokshi & Miller, 2015, para. 14). This embryo contained the same potential for life as its mother and both of their existences ended at the same moment; yet some in society would have been more accepting if the mother had chosen for herself to end the fetus' life. A fetus cannot help its dependence on its mother, if she dies, so will the child inside of her. But to claim that a child is truly separated from its mother

after birth, would be disregarding the aspect of growing up. If our rights to life were based on total physical freedom from our mothers, many children and infants would fall short. From the moment of conception to the day we move out, childhood is about gaining independence.

Another pro-Choice argument is if abortion were made illegal, more women would be subject to dangerous abortions. In fact, this information is true. An article by Lisa Haddad and Nawal Nour (2009) brought to attention that each year around 68,000 deaths occur worldwide due to unsafe abortion (para. 1). But while total abortion trends have decreased, unsafe abortion rates have remained the same and are actually increasing slightly from 1995-2003 (para. 3). Though deaths due to illegal abortions are higher in countries with more restrictive laws, some countries, such as India, are showing that illegal abortion is still practiced despite the open policy of the government (para.11). Director of research at the *Center of Experimental Embryonic Medicine and Maternal Health*, Elard Koch (2015), recently released a research project done of Chile showing that though abortion was made illegal in 1989, maternal mortality rates due to the procedure have actually decreased and the government was given opportunities to become more proactive in the lives of its women, encouraging contraception and supporting them in their time of need (p. 82). Although logic usually concludes that abortion is made safer by legalizing the practice and providing better facilities, the bigger problem of becoming pregnant in the first place is left undiscussed and unsolved. While I am not suggesting that abortion should be banned right at this moment, I do propose that Americans come together and combat the foundational ‘unplanned pregnancy’ concern. If we can encourage healthy sexual relationships, safe contraceptive use, and support pregnancy resource centers rather than attack them, then maybe we could move forward, beyond the quick solution and towards a progressive and permanent resolution.

The countless opinions of the abortion debate center around a very important understanding: many individuals carry different beliefs on what they believe is valuable human life. This is a crucial reason why the topic of abortion has to be addressed in America. For years, people have held differing opinions on the value of certain races, genders, or beliefs; but science is rooted in progress, questioning popular belief, and showing possibilities of a new truth. On January 22, 1973, the Supreme Court stated: “We need not resolve the difficult question of when life begins. When those trained in the respective disciplines of medicine . . . are unable to arrive at any consensus, the judiciary, at this point in the development of man's knowledge, is not in a position to speculate as to the answer” (as cited in Ehrlich, 2008, p. 281). This quote shows that the legalization of abortion was partly based on the inability of science to define life, but in the past few years, medical investigation has shown amazing progress in the field of fetal development. Research in the area of fetal learning has shown that human fetuses are able to learn from events in their environment and are able to respond strongly to audible noises, especially those of human tones in the womb (Kawai, 2010, p. 56). In fact, more studies are needed to study exactly *how* advanced fetal learning and memory capabilities may be (p. 58). Ultrasound has also provided many opportunities in neo-natal study giving the ability to learn in the new field of fetal psychology (Emory, 2010, p. 120). Studies done by ultrasound have also shown a response to maternal voice in fetuses as young as 30 weeks and possibilities that arrive with studying neo-natal behavior are still in their ‘infant’ stages (pp. 122-124). Advances have also been made to enable surgeries to be performed in-utero creating an incidence when the fetus is in fact a patient whose well-being is a strong concern (Milliken, 2014, p. 1911) With new advances being discovered consistently in fetal development and the ability to provide treatment for fetuses otherwise in danger, science is slowly uncovering the possibility that viability may

not be defined by being independent from the mother but rather that the viability of a fetus will continue to be placed earlier and earlier. Maybe science has opened the door for the next social revolution, in which yet another group of mankind has been given a chance to be seen as a people with a purpose.

Abortion is one of the biggest enemies of mankind because it has allowed whole generations to be quietly forgotten, and though they have been labeled as non-persons, embryos carry the most innocent and vulnerable sides of mankind, and if only for that reason alone they should be protected and cherished. Over 40 years ago, *Roe vs. Wade* passed a monumental decision based on the assumption that a fetus was not a person. In culture, 40 years meant slaves being freed from their plantations, women being allowed to vote, and African Americans being considered as equals. In America, 40 years could be a whole society accepting and realizing the possibility of fetal viability as well. With so many resources, such as adoption centers, shelters, and pregnancy resource centers available, women need to be inspired that pregnancy is not a dilemma between themselves and their baby. Rather than letting bad situations be forced upon our women, Americans need to encourage one another in preventing unplanned pregnancy before it begins. During 2013, 304 Fredericksburg abortions took place, 304 lives who could have turned 1 or 2 this year, 304 lives who could have contributed to our society and were not allowed to fulfill their potential (“Health Profile, Fredericksburg City, 2013,” 2015). We have been given the opportunity to grow and thrive in our country and now it is up to us, as a community, to come together, supporting the mother in her time of crisis, love her child despite the circumstances, recognizing that human life should not be judged by a choice, but rather be given a chance.

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