

Medical Ethics in Abortion: Review Article

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How to cite this article:

Aakruti Ganla¹, Harshali Tuknait, Sanskruti Rathod. Medical Ethics in Abortion: Review Article. Ind J of Matern-Fetal & Neonatal Med 2024;11(2):59-61.

Abstract

Ethics is derived from the word 'ethos'. There are distinctive attitudes pervading the culture of a group of persons, with adherence to certain values. It includes a definite tradition, and sharing in customs and experiences. Ethics deals with the right conduct. It helps in the distinction between what is considered right or wrong at a given time, in a given culture, with the moral consequences of the action. Obstetrics is a specialty dealing with two lives, closely linked, whose interests may not always coincide. Abortion raises a lot of 'heat and dust' during policy discussions. Hippocrates considered termination of pregnancy as unethical. Times have changed and abortion has been accepted by many societies, the health of the mother being the most important consideration. However, by all the criteria of modern molecular biology, life is present from the moment of conception. Thus, abortion is one of the most controversial issues in today's world.

Keywords: Ethics, Abortion, Fetus, Moral values, Pregnancy.

INTRODUCTION

Medicine is a holistic profession that rests upon a strong physician-patient relationship and non-adherence to healthcare ethics and unsatisfactory management and solution of the cases not only threaten this relationship, but may also lead to

suboptimal service delivery and potentially trigger incidences of violence and abuse.¹

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John William's stated that: At all times and in all cultures, ethics have been at the heart of medicine. Medical ethics guides physicians in their relationship with patients, colleagues, their patients and society in general. It provides standards of behavior and decision making that enable physicians to know what is expected of them by their colleagues, their patients and society in general.

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Received on: 29.10.2024

Accepted on: 11.12.2024



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In order to help resolve the dilemmas that arise in healthcare, academic bioethicists have called upon a number of ethical theories deontology, teleology, virtue theory, care ethics, feminist ethics, to name a few but the day-to-day work of bioethicists in the clinic and on research review committees is, for the most part, guided by a method of ethical problem solving known as 'principalism'. In this regard, they set forth four principles as follows:

Respect for:

- Autonomy
- Beneficence
- Nonmaleficence
- Justice

Obstetrics is a specialty dealing with two lives, closely linked, whose interests may not always coincide.³

DISCUSSION

Abortion raises a lot of 'heat and dust' during policy discussions. Hippocrates considered termination of pregnancy as unethical.⁴ Times have changed and abortion has been accepted by many societies, the health of the mother being the most important consideration. However, by all the criteria of modern molecular biology, life is present from the moment of conception. Thus, abortion is one of the most controversial issues in today's world. People tend to turn to the law when trying to decide what is the best possible solution to an unwanted pregnancy. 'Antagonistic relationship' between the woman and her unborn child may occur. Whether a fetus in utero has rights before viability is a subject of dispute and opinion. In any case, the embryo or fetus of any age is protected by Hippocratic code. "I will maintain the utmost respect for human life, from the time of conception."⁵

While bioethics is the study of ethical, social, legal, philosophical and other related issues arising in healthcare and the biological sciences, ethics have always formed the basis of good practice in medicine and are based on moral, religious and philosophical ideals and principles of the society in which they are practical. Physician is always concerned about the legal basis of his acts on the basis of ethical perspectives. Law and ethics may conflict with each other. In obstetric practice, it is essential to promote and protect the interests of both, the pregnant mother and her fetus. With advent of modern technologies and emerging branch of fetal medicine, obstetricians have to face

ethical dilemmas related to many fetal issues.⁶

The following ethical issues come into play when considering termination of pregnancy as an option:

Sex Selection is Illegal, Immoral and Unethical

Sex selection is discriminatory. It is illegal, immoral and unethical. It is illegal because it is against the law. It is immoral because it denies equality of the sexes. It is unethical because it is against the ethical principles of beneficence, non-maleficence and justice. The right of the female to be born is denied.

Sex Selection - A Crime against Society

Sex selection and selective abortion of the female child is not only a crime against the individual: it is also a crime against society. Such practices exaggerate the already existing imbalances in the sex ratio, which will have adverse social effects. This has been seen in China, with the one-child norm and son preference.

Pre-natal Diagnostic Techniques

There are a number of prenatal diagnostic techniques. The most frequently used method is ultrasound. It is non-invasive. The results are immediate. When performed by skilled operators, the sex can be determined to some extent of accuracy. The other methods are amniocentesis (lengthy time in getting results) and chorionic villus sampling (can be performed very early in gestation). There are other newer methods. This in turn leads to sex-selective abortions which is unethical.⁴

Some people have interpreted that the developing fetus can be considered a person, when the fetus is viable and capable of independent existence if removed from the milieu of the uterus. The period is progressively being reduced due to advances in medicine. Others have stated that the developing embryo can be considered a person when the brain starts developing, drawing the analogy of brain death.

This is a significant moral consideration. There is a difference between killing or destroying something and preventing something from coming into existence.

Preventing something coming into existence denies a future of value, as does destruction. People tend to turn to the law when trying to decide what is the best possible solution to an unwanted pregnancy.

The opponents of abortion argue as follows:

- Fetus has to be regarded as human being.
- Killing an innocent human being is morally wrong.
- Aborting is an example of killing and terminating a human being's life.

So, being engaged in aborting is morally wrong.

If one is adamantly opposed to abortion, one is committed to some set of values, which requires that women who become pregnant (whether intentionally or unintentionally) must endure the process of pregnancy and birth, no matter how distressing, painful and risky it is for them. The justification given for this is usually based on an abstract notion of the value of 'fetal life', rather than on the ground that suffering is morally improving for the women concerned. Extreme opponents of abortion argue that abortion is equivalent to murder and that, no matter how much women may suffer, they cannot be allowed to 'kill their children'.³ Termination of pregnancy brings out conflicts of right between two persons, the right of mother and the right of a child in the womb. Does the mother have the right to destroy the child in the womb? Does the unborn child have the right to life? Does the doctor have the right to kill the child in the womb at the request of the mother?⁷

The Medical Termination of Pregnancy Act, 1971 ("MTP Act") was passed due to the progress made in the field of medical science with respect to safer abortions. In a historic move to provide universal access reproductive health services, India amended the MTP Act 1971 to further empower women by providing comprehensive abortion care to all.

The new Medical Termination of Pregnancy (Amendment) Act 2021 expands the access to safe and legal abortion services on therapeutic, eugenic, humanitarian and social grounds to ensure universal access to comprehensive care.

SIGNIFICANCE

The new law contributes towards ending preventable maternal mortality to help meet the

Sustainable Development Goals (SDGs) 3.1, 3.7 and 5.6. SDG 3.1 pertains to reducing maternal mortality ratio whereas SDGs 3.7 and 5.6 pertain to universal access to sexual and reproductive health and rights.

The amendments increase the ambit and access of women to safe abortion services and ensure dignity, autonomy, confidentiality and justice for women who need to terminate pregnancy.⁸

CONCLUSION

While abortion is the right of a woman and this right must be protected, ethical abortions are a need of the hour. Not only do unethical abortions put the life of the woman at risk but also result in serious complications in future pregnancies and thus must be provided in accordance with the law and by trained professionals.

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