Abortion

Women can choose to get abortions for many different reasons or choose to keep their baby and continue their unexpected pregnancy. Abortion has been legal in the United States since 1973, when the case of Roe v. Wade was decided (“Opposing Viewpoints”). Before abortion was legal, four times as many women died from abortion due to unsafe methods and poor training. Today, most abortions in the US are performed in the first trimester, when the procedure is the safest. Second and Third Trimester abortions are more dangerous and have added complications with the procedures. Although later term abortions, also known as partial-birth abortions, can be more dangerous, less than one percent of all abortions result in major complications (Durrett). The decision of abortion becoming illegal or staying legal depends on what rights women should have over their own bodies and how the government can control their rights (“Abortion”). Abortion has been a controversial topic for centuries, and people argue on both sides of whether abortion should be legal or illegal and restrictions abortion should have; the question of whether the fetus is an actual person often arises, along with what rights the fetus and mother both have.

Early American Abortion laws were based on common law, which are laws America adapted from England when the colonies were settled. At this time, the only abortion law America had stated that women could have abortions before quickening, also known as the period of time during the pregnancy where the women could not yet feel the fetus moving inside her. The abortions being performed then were done by folk doctors and midwives who were not properly trained, causing women to often die due to how little the doctors knew about the female anatomy. In 1821 Connecticut was the first state to make abortion after quickening illegal for safety concerns. Many states followed Connecticut’s example and by 1868, thirty-six states had laws banning abortion. In 1847 the American Medical Association took a stance against abortion in order to protect women’s health. The AMA wanted women to get health care from actual doctors, not folk doctors and midwives who had unsafe methods of abortion. Many people thought the AMA was against abortion so that these kinds of doctors would go out of business. Dr. Horatio Storer encouraged other doctors to stand up with him to ban abortion in 1857. Doctors that opposed abortion with Dr. Storer argued that the fetus looked human long before quickening or the women feeling any movement. An official call for banning abortion was made by the AMA two years later. Arguments from trained doctors like Dr. Storer were taken to state capitals, which led to abortion being outlawed in every state in 1899. Some states had special exceptions for abortion procedures if it were necessary to save the mother’s life. The abortion ban continued into the 20th century, where abortions were illegal and not performed in hospitals up until when the case of Roe v. Wade was decided (Durrett).

In the past, wherever abortion has been illegal, it has proven to be more dangerous for women, and have increased risks due to unsanitary conditions (Hogue). In the mid-1900’s, women wanted more control over their bodies and felt they did not have this control due to abortion restrictions set by the government. When abortion was illegal, women still pursued the procedure from back-alley abortionists or attempted to abort themselves. Because women were so desperate and they resorted to unsafe options, many bled to death and suffered severe infections (Durrett). Wealthy women were able to travel to Europe to get safe abortions, and some were able to seek the help of trained doctors who did abortions in secret in the US. Countries worldwide had laws prohibiting abortion to protect women from unsafe methods in use at that time. Organizations were also put in place to help women who were seeking abortions when it was illegal. One organization was the Abortion Counseling Service of Women’s Liberation. This group of women went by the code name Jane, and word of the phone number for Jane spread from woman to woman. The women who were members of the group even learned how to give safe abortions themselves in order to help more women and meet their needs. 11,000 women came to Jane between 1969 and 1973 (Durrett). The Clergy Consultation Service was also a group that helped women who were facing unwanted pregnancies. Howard Moody was a pastor at Judson Memorial Church in New York and developed empathy for women who could not get safe and legal abortions. The service was funded in 1967, and 1,400 ministers and rabbis joined Moody’s group shortly after. These leaders assisted women to find safe abortionists, and sometimes even sent women out of the country for safe abortions. Before the law defining case of Roe v. Wade, these two institutions offered help to more than 111,000 women combined (Durrett).

In the year 1970, a woman named Norma McCorvey couldn’t get a legal abortion in Texas and looked for legal help. Luckily for her, Linda Coffee and Sarah Weddington took her case for free, or pro-bono. Weddington and Coffee were looking to challenge the Texas abortion law and needed a client for their case. Norma McCorvey changed her name to Jane Roe to protect her identity for the case. Roe couldn’t get an abortion for additional reasons, one being how the pregnancy did not threaten her life, and that she could not afford to travel to another state to have the abortion. The suit was filed in Dallas County, with Henry Wade as the district attorney assigned to the case. Roe v. Wade claimed that the Texas abortion laws were unclear and violated amendments 1, 5, 9, and 14. It was a class action suit, meaning that the case was fighting for the rights of Norma, and all women who were experiencing the same situation. The suit asked the Texas court to declare their abortion laws unconstitutional, and to make abortion legal in Texas. Weddington and Coffee won the case in the Texas courts; However, Wade immediately filed an appeal with the Supreme Court after he lost. Once the case was approved, it would be argued on in the Supreme Court, and the Justices would decide to uphold or overturn the decision of the lower Texas court. By this time, Norma (Jane Roe) was already six months pregnant, and too far along with her pregnancy to have a safe abortion. Later, Norma was quoted saying, “It was about me, and maybe all women who had come before me, but it was really after the women coming after me” (Durrett).

In December of 1971, the case reached the US Supreme Court and remained undecided until January 22, 1973. Norma had given birth to her daughter and gave her up for adoption by this time (Durrett). Justices of the Supreme Court handed down a 7-2, ruling in favor of Jane Roe. They ruled that antiabortion laws violated women’s rights to privacy and were unconstitutional. Furthermore, they researched the procedure for their written opinion and wrote that “an unborn fetus is not a person in the eyes of the law” and, “religion and morals are likely to influence… one’s thinking and conclusions about abortion” (“Opposing Viewpoints”). For the safety of women seeking abortions, the Justices divided a pregnancy into trimesters to determine how safe it was to have the surgery. The first trimester was very safe, the second trimester was deemed to have more risks and a higher chance of complications, and the final trimester poses lots of risks and is very unsafe. After Roe v. Wade, all states had to revise their abortion laws, making abortion legal in the US (Durrett).

Even before Roe v. Wade, doctors began changing their opinions on abortion in the 1960s. Medical professionals claimed that birth defects a child may be born with in certain cases could be more detrimental to the mother that having an abortion. In addition, more people started to change their attitudes about abortion being legal for other reasons protecting women’s rights. Then, a slow trend of changing abortion laws began, and by 1970, New York, Hawaii, and Alaska all legalized abortion. Although some states had started to accept the legalization of abortion, the majority of states still held on to strict antiabortion laws (Durrett). After 1973, the decision to legalize abortion led to use of safer methods and techniques that were taught to doctors across the nation. Because abortion is now legal and safe, fewer than .5 percent of women who have abortions experience serious complications. Freestanding abortion clinics are where the procedures commonly took place in the 1980s, with half of all patients having outpatient procedures. Despite popular belief in the ‘80s, there are no links from abortion to long-term psychological problems; Common long-term consequences are miscarriages, or pre-term delivery in future pregnancies. An administrative decision took place in 1991 that restricted federally funded clinics from mentioning abortion as an option for pregnant women, but the law has been lifted since then. State legislators have voted on many bills in the past that would make abortion illegal except in cases of rape, incest, or to save the mother’s life. Very few of these bills have been passed. States have also tried to pass bills that would reverse the effects of the case Roe v. Wade, but these bills failed as well (Hogue).

Even after abortion was legalized, there were still many questions about the topic and rules that should go along with the legalization of the procedure. An amendment called the Hyde Amendment was passed by Congress in 2003, which restricted federal funding for abortion due to much controversy. Federal funding was first banned in 1988, when research for fetal tissue obtained from induced abortions was stopped by the Regan administration. However, Clinton reversed this ban in 1993. The Bush administration then limited research using embryotic stem cells in 2001. Furthermore, the Supreme Court upheld a Missouri law in 1898 that stated public employees could not perform abortions in tax-payer supported facilities (Hogue). Another problem for abortion is deciding when late term abortion should be legal. Legislation to outlaw partial-birth, or late term, abortions occurred in 1996, but was vetoed by President Clinton. Partial-birth abortion is a major concern for many women and doctors, considering it is far more dangerous than first or second trimester abortions. Although, out of all abortions performed in the United States, only an estimated 1.2 percent is late term. Congress passed a law in 2003 that outlawed late term abortions, and the Supreme Court upheld the ban on these kinds of abortions in April 2007 (Hogue). In the years following 2010, states passed laws restricting abortion, yet experts found the laws irrelevant and wanted to stop the restrictions. Often times people stand against abortion because of how young the woman is. In 1990, the Supreme Court ruled that underage girls must notify both parents before getting an abortion. Some states require the parent’s consent, and sometimes even the father of the fetus’ consent. A 24-hour rule has also been put in place in some states to help the women decide if she is making the right choice. This rule states that women have to schedule their abortion 24 hours in advance from when they have the surgery (Weiss). The development of legalizing abortion has been a difficult one, and various laws, bans, and restrictions have been put in place in order to keep abortion legal in the US and safe for all women.

The medical surgery that abortion entails is a very safe one, disproving most people’s concerns about infections and complications. Abortion has been unsafe in the past when it was illegal and performed by untrained doctors, when the abortion happens late in the pregnancy or third trimester, or when the mother has special conditions making the procedure more difficult for the one woman specifically (“Abortion). The most common issue for the surgery is infection, and in some rare cases the procedure can result in excessive bleeding or damage to the uterus. Although a small percentage of women experience these risks, abortion has been name one of the safest form of medical surgery performed by trained professionals. Death of the fetus can happen in two ways. One way is a miscarriage, where the embryo fails to develop, complete or incomplete expulsions of products to conception occur, or the fetus dies twenty weeks from the last menstrual period. In fact, three-fourths of conception result in miscarriages, and happen before the pregnancy can even be confirmed. The other way is induced abortion, when a woman chooses to no longer continue her pregnancy by having a procedure to remove the fetus form the uterus. (Hogue)

People who support the legalization of abortion are called “pro-choice.” These supporters stress the fact that the law should protect women’s right s to a safe, legal operation, and that it should be the woman’s choice whether to continue or terminate her pregnancy (Hogue). Some supporters even believe that abortion is morally wrong, but that the law should protect women’s rights to medical privacy and the right to make her own choices. It is argued by those in favor of abortion being legal that a ban on the surgery will have a negative impact on poor people and their children they will raise. Up to $12,000 to $24,000 a year can be required for raising a child, which is money some families are not equipped with (“Abortion”). Many infants suffer due to inadequate parental care and lack of structure in their young lives. Lots of teen mothers have abortions to be able to continue their education and be successful. Teen mothers rarely finish their education and will end up making half of the income their friends will be making. Of 1.6 million women in the United States who have abortions, one fourth of them are teenagers under the age of 18 (Niven). When abortion is illegal, unwanted children are often abandoned by parents or have the burden of being an unwanted child carried around with them their whole lives. The right to abortion is also important for gender equality. Individual women cannot achieve their full potential without having the right to decide what their future will hold. Abortion effects women more than men, and should be up to the mother of the fetus to choose to have an abortion or not (BBC News). Popular groups that are pro-choice include Planned Parenthood federation of America, the National Abortion federation, and the Center for Population Options (Niven). Margret Sanger, the founder of Planned Parenthood said, “No woman can call herself free until she can choose consciously whether she will o will not be a mother” (BBC News). More than 200,000 women die each year from unsafe abortions due to the procedure being illegal or not available to them (“Abortion”). The complete legalization of abortion will lower this number and solve many problems like teen parenthood, children who are not properly cared for, and gender equality.

The opposing side to abortion is the “pro-life”, or “right-to-life” side. This side argues that life begins at conception and the fetus’ right to live should come before the rights of a pregnant woman (Niven). Pro-life supporters debate that abortion is intentional killing, or murder, of the fetus and that the fetus is its own person, and for this reason abortion should be restricted or prohibited (Weiss). Critics of the Roe v. Wade case state that unborn personas are legally persons in other cases, and should be protected by abortion bans. Unborn children could additionally potentially inherit property, money, or heirlooms from the family (“Abortion”). It is also argued by the pro-life side that life sometimes demands sacrifice for the sake of a morally right choice. In the same way that euthanasia, violence, or driving is restricted for the good of others, sometimes a woman’s choice should be legally restricted in protection of the unborn (BBC News). Organizations supporting the right-to-life acts are Heartbeat International, American Victims of Abortion, and the American Life League (Niven). Abortion should be illegal for the concerns of the fetus, the woman’s decision, and morally wrong killing of an unborn child.

Abortion laws are always being revised or updated. It is a very safe operation when abortion is legal and accessible to women universally, and has more complications when the surgery is in an unsanitary environment, or is being performed by someone who is not trained for the procedure. A first trimester abortion is the safest and most common kind of the operation, and second and third trimester abortions have more risks (Hogue).The case of Roe v. wade made abortion legal in the US in 1973, but abortion laws have since changed, and are still changing, in order to protect women’s safety (Durrett). Supporters of pro-life and pro-choice stances have opposing views on abortion, making the topic so controversial and difficult to solve the abortion debate.

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