

# Current Debate: Abortion

## *Being Ambivalent About Abortion*

Ruth Anna Putnam

Larry Letich (Abortion: Bad Choices *Tikkun*, Jul./Aug. 1989) wonders how the legality of abortion can remain controversial given that "over fifteen million American women have undergone" abortions since *Roe v. Wade*. What he does not understand is that that very figure—fifteen million abortions—horrifies many who before *Roe v. Wade* had no doubt that abortion should be legal. I am one of those who demonstrated in favor of legalizing abortion in those days; I still believe that abortions must remain legal. But I also believe that many, perhaps a majority, of those fifteen million abortions are morally indefensible. Neither Letich nor the pro-choice movement acknowledges this fact. They fail to explain that abortions must remain legal in spite of the fact that the result is many morally indefensible abortions. Instead, by claiming that a woman has a moral (not merely a legal) right to choose whether or not to terminate a pregnancy for whatever reason, the pro-choice movement inevitably draws one's thoughts to those cases in which the morality of an abortion is questionable.

Larry Letich notes correctly that some women need an abortion and that the pro-choice movement would do well to emphasize this fact. But he himself ignores that advice as soon as he speaks of "forced pregnancy." The only forced pregnancy is a pregnancy due to forced sex, that is, rape; but Letich considers any unwanted pregnancy a forced pregnancy. Letich also notes correctly that moral objections to abortion rest on the fact that the fetus is a potential human being, and that the pro-choice movement has not adequately dealt with this concern; but neither does he.

The abortion debate to date rests on the mistaken view that those who

believe that abortions should be legal must show that abortions are morally permissible, and that, conversely, showing that abortion is immoral suffices to show that it should be outlawed. Abortion is not the only frequently immoral act that should nevertheless remain, for the most part, legal. It is almost always wrong to lie; it is (and should be) almost always legal. I shall argue that, while many abortions are immoral, abortions should remain legal within the limits established in *Roe v. Wade*.

I believe that abortion is justified when it is necessary to save the life, or the health, of the pregnant woman, which is the traditional Jewish view. I would add, as do Conservative rabbis, that the mental health of a woman is as important as her physical health. I also believe that it is morally permissible for victims of rape to choose an abortion (perhaps that falls under the mental health category, but I don't insist on that). Finally, whatever they may choose to do, I have only compassion for parents who learn that the fetus is severely defective—for example, that it has Tay-Sachs disease.

Though my position is more permissive than that of the Jewish authorities, it falls short of condoning all abortions. I do not recognize, indeed I emphatically deny, that a woman has an unqualified right to control her own body, or an unqualified right to choose what kind of life she wants to live. Any such right is limited by the rights of other human beings. For example, a woman has no right to kill her infant, nor does she have the right, while pregnant, to ingest food or drugs that will harm the fetus.

I believe that, while the fetus is not a human being at the moment of conception, it becomes more and more human as time goes on. Some Jewish authorities think that until the fortieth day after conception the fetus is in no

sense human; that also happens to be the period when most spontaneous abortions occur. During that period, then, one would accept relatively weak reasons of physical or mental health as adequate grounds for an abortion. Thereafter such reasons must be more compelling. Once a woman can feel the motion of the fetus, she normally begins to form a strong emotional attachment; for her it becomes *someone* to care for rather than merely *something* to take care of. Correspondingly, her reasons for an abortion must be more powerful. Her health must be at serious risk, or the fetus must be severely defective. Finally, once the fetus is viable, only saving the mother's life can justify killing it.

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I have just suggested how one can take seriously the claims of the fetus as a potential and developing human being while also taking seriously the claims of the woman to a healthful life. And, by implication, I have denied that women are entitled to choose an abortion simply because their pregnancy is unwanted, because, for example, they planned on two children and find themselves pregnant with a third, or because the pregnancy comes at an inconvenient time in their educational or career development. Yet, ever since abortions have been legal, many women have chosen and continue to choose abortions for just those reasons.

Why, then, do I oppose the overturning of *Roe v. Wade*, which would put the states in a position to write abortion

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laws limiting abortion to cases when it is morally or medically justifiable? Because such legislation is unworkable. On the one hand, it is humanly impossible to foresee all medical contingencies that would make abortion necessary for the sake of the woman's health. On the other hand, stipulating that all "necessary" abortions are permissible would create intolerable uncertainty and fear of legal repercussions. Any restrictive legislation will prevent some woman who really needs an abor-

tion from obtaining it, resulting in dire consequences. Moreover, when abortions are strictly limited, or entirely prohibited, some women will choose illegal abortions which are expensive or unsafe or both. Some women will die from unsafe abortions, and others will be permanently harmed, and this burden will fall most heavily on poor women.

Outlawing abortions will probably save some potential human lives; but it will certainly cost some actual human

lives. This is why abortions must remain legal: it is morally intolerable to risk women's lives. But that can only be the first step. The next must be to create a social, educational, and moral environment that will drastically reduce the number of abortions by providing adequate financial and child care support for women who keep their babies, by making adoption a more attractive alternative, by making birth control information and devices widely accessible, and by changing the moral climate. □

## *The Moral Vision of the Pro-choice Movement: A Response to Ruth Anna Putnam*

*Carole Joffe*

Larry Letich and Ruth Anna Putnam have each argued, in different ways, for the importance of bringing moral considerations into the abortion debate. If recent polls are correct, most Americans seem to share this concern as well; a majority of people apparently want *Roe v. Wade* upheld, but are troubled by the moral issues that abortion presents. I agree that the pro-choice movement should shift from a focus on "rights" to a broader discussion that includes an explicit moral dimension. However, shaping this discourse requires the avoidance of twin dangers. One is advocating an extreme form of moral relativism that leaves the moral high ground to the opposition. The other is the kind of moral absolutism, represented by Putnam's essay, that is inadequate to the complexities presented by abortion.

Putnam basically defines as "immoral" those abortions with which she does not agree, that is, all those abortions which are not caused by rape or do not pose a threat to the health of the mother. (Although she

expresses "compassion" for parents of fetuses with genetic abnormalities, it is not clear that she considers abortions in such cases to be "moral" either.) By challenging those abortions that are done "simply" because the pregnancy is unwanted, Putnam dismisses as "morally indefensible" the choices made by a majority of the fifteen million abortion recipients since *Roe*. This judgment indicates extraordinarily little faith in the moral reasoning of millions of women. As one who has spent considerable time doing research in abortion facilities, I have found that most women come to the morally complex abortion decision after considerable reflection. Putnam's position is not useful because it is moralistic—what she does not like, she defines as "immoral."

A more fruitful route to an abortion morality which, unlike Putnam's, is rooted in context, comes from the experience of those who provide abortion services. The counselors, nurses, and physicians who work in abortion facilities are those, it must be recalled, who are charged with *acting* in this contested terrain that the rest of us argue about. Their unique position in the abortion debate gives them a particular, multifaceted moral stance on abortion. On the one hand, their interactions with their clients on a daily basis confirm for them the moral necessity

to make safe, legal abortions available to all women; indeed, clinic workers feel that one of the key immoral aspects of the present abortion situation is that abortion is differentially available to women based on ability to pay. On the other hand, abortion providers don't "like" abortion. For this group, as with many others, abortion raises complicated questions about when life begins; as with the rest of us, how individual abortion providers answer these questions has much to do with personal background and religious and philosophical orientation. Not surprisingly, this group, like others, is more comfortable with earlier abortions than with later ones. (Though, it must be stressed, abortion providers firmly believe that the small fraction of women who need late abortions must be able to obtain them.)

But unlike the rest of us, whose views of abortion typically remain at an abstract level, this group is more attuned to the moral dimension of the human activity surrounding the circumstances of an abortion. Thus, abortion providers are particularly troubled by "repeaters," that fraction of abortion recipients who present themselves for their second, third, and in some cases, fourth abortions. Whether "repeaters" or not, those abortion recipients who are sexually active but who show no

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