

Lesson 10

Notes

5 Basic Questions That Frame Any Approach To Bioethics

- 1.
- 2.
- 3.
- 4.
- 5.

Four Principles of Bioethics

1. Autonomy
2. Beneficence
3. Justice

4. Nonmaleficence—

5. Human Rights

6. Care for the Vulnerable

Abortion

General Statistics

- The _____ most common surgical procedure
- Since Roe v. Wade in 1973, abortions have risen from 775,000 to 1.6 million annually
- That is about _____ pregnancies

Legal History

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- Essentially stopped the government's ability to stop abortion
- Even late pregnancy abortions cannot be prohibited if a doctor certifies that abortion is necessary to preserve the mother's health
- Divided pregnancy into "trimesters"
- First Trimester: _____
 - States can make _____ regulations regarding abortion

- Second Trimester: _____
 - States may choose to regulate abortion procedures in ways related to maternal health.
 - States still can make _____ regulations with respect to the fetus
- Third Trimester: _____
 - Looks like it permits states to protect fetus after “viability” but renders it virtually impossible
 - Says, “the State...may, if it chooses, regulate, and even prohibit abortion except where it is necessary, in appropriate medical judgment, for the preservation of the life or health of the mother”
- - Determined “mother’s health” should be interpreted the broadest possible way
 - Said interpretation could include psychological, emotional, and family-related
 - But all pregnancies affect a woman’s mental state, emotions, and family relationships.
 - So, Doe v. Bolton offers legal cover for abortion on demand to the last day of a pregnancy.
- - Prohibited states from requiring a father’s consent
 - Prohibited states from requiring parents of a pregnant minor to consent
 - Prohibited states from outlawing the saline solution technique in second trimester abortions
 - Gave physicians great latitude on choosing what to do with an undesired baby who is born alive during an abortion procedure
- - Shifted focus of abortion regulation to the state level
 - Allowed (but did not require states to:
 - Prohibit public employees from performing abortions except to save mother’s life
 - Refuse public funding for abortion counseling
 - Prohibit public officials from encouraging abortion if not necessary to save mother’s life
 - Mandate tests to determine viability of baby more than 20 weeks old
- - A ban outlawing the procedure was signed into law by President Bush on November 5, 2003

- - Could require parental consent for a minor's abortion
 - Require a waiting period between obtaining an abortion and what is informed consent
 - It moved from a trimester framework and replaced it with pre- and post-viability tests for constitutional interest
- - Discusses the pre-viability prohibitions on elective abortions
 - Returned the legality of abortion to the state level

Key Terms

Types of Abortions

- Spontaneous
- Induced
 - Therapeutic
 - Eugenic

- Elective
- Zygote
- Embryo
- Fetus
- Viability

When Does Human Life Begin

Developmental View

- A person evolves over time
- Personhood is achieved in social interaction, does not begin at conception
- Not a full person until fully capable of social interaction
- Must achieve criteria such as: conscious thought, aware of things external to self, able to feel pain, able to reason, capable of self-motivated activity
- Objections
 - Bases personhood on arbitrary stipulations, so who chooses

- If one can choose any set of stipulations, then any category of human life can be excluded
- Arguments would justify euthanasia, genocide, killing the handicapped
- Could ignore the poor, sick, uneducated, because they are less of a person



Essentialist View

- Personhood is fundamentally linked to the biological presence of human life.
- Personhood is the essential aspect of human life
- Emphasizes species-specific DNA is present at fertilization
- Personhood begins at conception
- Objections
 - Seems to make the value of persons depend on chemical values
 - If persons are souls, this would mean a large number of souls are never born
 - Identical twins usually do not split until second week

Techniques of Abortion

Non-Surgical

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Surgical

- - Used in about 20 % of 1st trimester abortions
 - The cervix is dilated, and the uterine wall is scraped
- - Used for about 80% of 1st trimester abortions
 - The cervix is dilated, and a suction tube is inserted into the womb
 - The suction tears the fetus from the womb
- - Most common for 2nd trimester abortions
 - Needle is inserted into the amniotic sac, and some fluid is removed and replaced with a concentrated salt solution.
 - The fetus is slowly poisoned.
- - Most common for 3rd trimester abortions
 - Same procedure as cesarean but with different outcomes
 - Physician is permitted great latitude if the fetus remains alive after being taken from the womb

Moral Issues To Consider

1.

2.

3.

4.

5.

6.

Rape and Incest

- This is a debate between both sides.
- Both sides recognize the seriousness, brutality, and violence of rape and incest crimes.
- Both sides want to seek to help the victims and punish the criminals

- **Arguments to permit rape or incest**

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- **Arguments against permitting rape or incest**

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