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Conference Paper

Bump or Mum? How to See the Pregnant Woman

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Introduction

Rights are the contemporary currency in our moral discussions. I was invited to speak to you today about the rights of the foetus against the rights of the mother in the abortion debate. The aim of this conference is to explore the ethical implications of biological relationships. The idea that there's a biological relationship between the woman and the child she's carrying may appear straight-forward. However, the idea of relationships, removed from its biological framework, sits at the very centre of what we might call a relational or feminist approach to ethics. We might also say that this relation-centred approach is the very antithesis of a masculine, or traditional, approach to ethics where a key concern is rights. Thus the ideas of rights and relationships are not straight-forwardly compatible in ethics.

In the past the abortion debate has taken very seriously the notion of a right-to-life of the unborn baby or foetus, with the pro-life lobby arguing against legal abortion on the grounds that this right is unjustifiably denied. Even on the pro-abortionists front, the idea of a right-to-life took centre stage as arguments in favour of abortion sought to show that the unborn baby either had no right-to-life or that this right could be outweighed by certain other rights, usually those of the mother. Discussion of abortion in these terms is going over old ground and I don't want to do that in this paper. Instead what I want to do is explain why we need to be going over that old ground.

More recently the abortion debate is moving away from right to life discussions. This doesn't mean that talk of rights has gone away, but that the idea of the foetus' right-to-life is largely overshadowed by concerns with the rights of the mother. This isn't just from the pro-abortion perspective but increasingly on the pro-life front also.

The title of my paper is meant to suggest that the way we look at the pregnant woman is an important part of the debate over abortion. Indeed, I think that how the pregnant woman is viewed, links together the two concerns I've just raised. That is, on the one hand, the general role of rights in the abortion debate and, on the other, moving the spotlight away from the rights of the foetus so that women's rights take centre-stage in discussions of abortion.

The aim of my paper today, then, is to refocus the abortion debate back onto the right to life of the unborn baby, and to make the tentative suggestion that we might do this by thinking carefully about how we see the pregnant woman.

How to see the pregnant woman

So, just how do we look at the pregnant woman? Do we think of the pregnant woman as ontologically different from the woman before she is pregnant? That is, is the woman a different being once she is pregnant? If I carry a pen or these sheets of paper you think of me as the same being that I was before I carried anything at all – I'm the same being only I'm carrying an object. If I say I'm carrying a child it's not so clear that the change is of the same order.

Part of how we see the mother concerns how we, quite literally, see the baby in the womb. New 3D imaging and routine ultrasound changes the way we look at the baby and so perhaps challenges us to think about how we see the mother.

How we look at the pregnant woman is also reflected in changes in language; in different ways in which we speak about pregnancy. For example this is on the website for an American edition of the bible:

The TNIV ("Today's New International Version") updates language and reflects advances in biblical scholarship. [This includes] changes that clarify the meaning of language for today's reader. For example Mary is said to be 'pregnant' rather than 'with child'. [1]

We might ask how meaning is being clarified here. The term "with child" is certainly older, but is it any less clear? What's the difference between being "pregnant" and being "with child"? "Pregnancy" is the description of a medical condition - relating specifically to the condition of the mother. Terms such as "with child" or "expecting", usually followed with "a baby", draw attention to the two people that are involved in pregnancy – the woman and the baby. Here we can also note that "termination of pregnancy" highlights the ending of that specific medical condition – abortion is no more than ending a medical condition in a woman rather than involving a second being – the foetus – which is killed. The phrase "termination of pregnancy" perhaps also sounds particularly inoffensive embedded, as it is, in the fact that we all terminate our mother's pregnancies quite naturally anyway after 9 months.

Different women have different reactions to finding out that they're pregnant and therefore how we look at and speak about

the pregnant woman is important. My title picks out two ways of thinking about the pregnant woman that are not uncommon but which carry significant meaning for the abortion debate. When we ask about “the bump” we’re leaving the woman behind. Here, the spotlight doesn’t just shift from the woman to the woman and baby, but focuses exclusively on the baby. The woman becomes nothing more than a vessel for carrying the baby. This is obviously alienating, particularly for the woman for whom the pregnancy isn’t a positive experience - here she’s changed ontologically so much as not to be a person any more – but simply the carrier of the child.

When we ask after “mum”, especially during a first pregnancy we’re suggesting that there is an ontological change even at this very early stage. So motherhood in this case is a biological fact rather than something that’s dependent on relations. When we think of the pregnant woman as “mum” we’re suggesting that the biological fact of her pregnancy makes her a mother. This is a particularly interesting idea given the challenge to this view from feminist ethics which centres, instead, on the non-biological nature of motherhood.

Now we may want to say that a step-mum or auntie who lovingly brings up a child from a very early age is more of a mother than a biological mum who has nothing to do with her baby from the moment it’s born. Clearly there are instances where motherhood is about more than biological relations. What, though, are the implications of this kind of view for the abortion debate?

The idea that biology is less important than the relationships we choose to form features in “an ethics of care” – a particular feminist approach to morality. An ethics of care suggests that morality is primarily concerned with our caring actions towards another human being and so, crucially, when a mother fails to care for her unborn baby then the ethical relationship isn’t there and normal patterns of morality are absent. Here, it isn’t a biological fact that makes a woman a mother, but rather, the relationship that forms between the two people involved gives rise to motherhood in the one caring. For any woman who doesn’t recognise a caring relationship between herself and her unborn baby there are no ethical implications attached to killing that baby. So, this quote from one feminist theorist, Nel Noddings,

It is not a question of when *life* begins but of when *relation* begins. [2]

What then of the ethical obligations of, for example, a mother who feels nothing for her two-week old child. If there’s no relationship between a woman and her baby that she’s brought to term does this mean that the situation is non-ethical and so the mother can kill this baby also as an ethically neutral act? Noddings goes on to say,

If the mother does not care naturally, then she must summon ethical caring to support her as one-caring. She may not ethically ignore the child’s cry to live.

So a woman can be morally obliged to care for the child even when she doesn’t have the feelings of care naturally; but only when the child has reached a certain age or stage of development. Before this stage is reached, a woman has ethical responsibilities to a foetus that she has, in Noddings’ words, “sanctified” or, we might say, recognised as a baby. Interestingly, when Noddings’ discussion moves on to consider situations when a mother doesn’t recognise her unborn baby as one to be cared for, then the focus shifts from the relationship between the mother and foetus, to the relationship between the mother and her carer. The ethics of the situation always arises where the caring relationship is present – perhaps the case of mother and pregnant teenage daughter.

This kind of ethical discussion has completely given up on a notion of right-to-life. There’s little talk of women’s rights here also though, primarily because some forms of feminist ethics avoid rights-talk completely on the basis that this is a masculine way of construing morality. Briefly – the story here is that when we speak about rights as a foundation in ethics we’re taking a male-centred approach because rights are bound up with autonomous individuals and in fact, the feminist argues, morality, seen from a woman’s perspective, isn’t like that at all.

I’ll explain this idea a little further: An example of the kind of male-centred ethical thinking that’s under fire here would be Rawls’ conception of the original position. Imagine that you wake up in an empty room, covered with a sheet so that you can’t see or feel yourself at all. You have no memory of who you are or what you might have been doing before you found yourself like this. Now Rawls invites us to decide from this original position how we would like society to be structured. Since in the original position I don’t know whether I’m male or female, young or old, black or white, ill or well, how able-bodied I am, what class I’m part of, what, if any, are my religious beliefs, where I live, if I’m married, have children then Rawls contends I’m far more likely to structure society in a fair and just way. When I know everything about myself, even if I’m trying to act justly, I’ll want things set up to advantage myself and those I love. In Rawls’ original position, I’ll want a society that’s just for everyone so that no matter who I am I get the best deal possible.

This notion of discrete, unconnected, autonomous and free individuals with equal rights in a just society is anathema to a feminist ethics. Feminist ethics suggests that the idea of the unconnected individual with rights is one that comes from taking a male-centred view of ethics – one which at best can only tell half the tale. In reality, we’re all connected. Moreover, that connection comes through women since it’s women, those who give birth, who are the ones who raise children; it’s through women we learn about relationships and being connected.

A male-centred approach to ethics focuses on liberty and equality – we can think here of Rousseau’s “All men are born free and equal”. Feminist ethicist, Virginia Held argues,

From the point of view of those who give birth, it is absurd to assume that we are born free. We are born helpless infants, and will remain unfree for many years. We are only relatively free if those who have cared for us have empowered us to be so.[3]

Morality, on this feminist picture, is about relationships. A right-to-life doesn’t feature at all here, let alone play a foundational role. Ethically, what matters is how we think about and treat the woman who wants an abortion. Whether we speak in terms of rights or not here, the focus is exclusively on the woman. What this commonly leads to is an argument for easy access to abortion facilities and care and encouragement for those choosing to abort.

Focus on the Rights of the Mother

In some cases when pro-abortion arguments highlight the rights of the mother as a means of underpinning the moral permissibility of abortion, the right to life of the foetus, although it’s denied, is seen as an important premise that has to be argued against. The kind of feminist ethics I’ve just sketched, doesn’t take the notion of the baby’s right-to-life seriously, since rights are not seen as the correct foundation of ethics. I think the move away from considering the right to life of the foetus is also evident, though perhaps not to the same degree, on the pro-life side.

Where early pro-life arguments focused on the right-to-life of the unborn baby, contemporary concerns often focus on the rights of the mother. This can lead to agreement between those advocating and those opposing abortion. So, for example, pro-abortionist Germaine Greer, argues alongside opponents of abortion when she writes this in her latest book,

The cynical deception of millions of women by selling abortifacients as if they were contraceptives is incompatible with the respect due to women as human beings.[4]

Greer is of course talking about the marketing of early abortifacients – the Morning After Pill - as emergency contraception. Pro-life supporters urge that women have a right to accurate information about abortion, concurring with supporters of abortion that women should be free to make informed choices. While it might be true that women don’t have accurate and full information about abortifacients and abortion procedures, it’s worth emphasising that even where they do, the question of the baby’s right-to-life is paramount. So, even if the Morning After Pill were to be sold as an early abortifacient, that the key problem is yet to be tackled ought to remain a concern.

Contemporary pro-life messages are keen to put the woman first. Particularly in the States the pro-life message aims to make the choice not to abort an unwanted or unintended pregnancy a choice that is empowering for women. Pro-life advertising on bill boards and television centres on strong women who make a success of their lives despite going ahead with unintended pregnancies in difficult circumstances. What’s important in these advertisements is a non-judgmental approach - an approach that avoids the question of denying the right-to-life for the unborn baby.

A similar approach is taken by one of America’s leading pro-life campaigns - Silent No More. Here are the three main goals promoted on their website homepage:[5]

- Make the public aware that abortion is harmful emotionally, physically and spiritually to women and others;
- Reach out to women who are hurting from an abortion, let them know help is available;
- Invite women to join us in speaking the truth about abortion's negative consequences.

And these are quotes from two of their principle supporters:

- The Silent No More campaign gives a voice to women who have too long been ignored. Pro-life and pro-choice can agree: abortion is a tragedy, and women deserve better choices.
– Author and Feminist Frederica Mathewes-Green
- This campaign creates a safe place for women to break their silence about the pain of abortion. It is an honour to speak the truth and let others know they’re not alone.
– Jennifer O’Neill, National Spokeswoman for the Silent No More Awareness Campaign

This is a hugely positive message which, again, is attempting to get away from the traditional debate over the rights of the woman against the rights of the foetus in order to provide a helpful way forward in the abortion debate. While this may illustrate a refreshing look at the abortion debate we need to remember why the original debate over rights is foundational. This becomes evident by looking at what’s at stake when we focus exclusively on the woman. I’m going to explore this by looking at four examples:

1. Buddhist abortion shrines in Japan.
2. The “November Gang”.
3. Pro-abortion arguments in philosophical literature.
4. Scottish statistics for repeat abortions.

1. Buddhist abortion shrines in Japan

Jizo is a Buddhist bodhisattva or deity of mercy. The Jizo cult has developed within Japanese Buddhism. Although Buddhism is traditionally opposed to abortion, the very high abortion rate in Japan perhaps goes some way to explaining this phenomenon. The Jizo statues are commonly purchased by a woman, or couple, who have experienced an abortion or stillbirth – given the high rate of abortion in the country we can expect that the vast majority of these statues are supposed to protect aborted babies rather than stillborn or miscarried ones. The small Jizo figures are often decorated with traditional red capes or bibs, a few are accompanied by toys. A message board sometimes stands next to a central statue of the bodhisattva, allowing parents to leave signed apologies and prayers.

The feminist writer, Naomi Wolf, suggested in an article in 1995^[6] that the Jizo ritual seemed to imply that a Westernized form of the memorial service might ease guilt for women after an abortion experience. What’s interesting here is the idea that there’s guilt to be felt after an abortion and that this idea is being proposed by someone who supports abortion. One commentator replied that “even if a Westernized memorial service shed the original Buddhist trappings, few participants could consciously embrace two colliding positions: the acknowledgement of abortion as the killing of an unborn child, and the decision to abort one’s own child”.^[7]

Implicit here is the suggestion that the Jizo cult depends on the particular Buddhist beliefs regarding the cycle of life and rebirth. The Western belief in individual life as unique and unrepeatable undermines the ideas behind the cult since once there’s this very strong recognition that a new life has been destroyed by abortion, the moral permissibility of abortion would become far more difficult to uphold. The next example challenges this assumption.

2. The “November Gang”

The following are messages written by women about to go for an abortion:

“To my little angel, you will always be my baby. I will see you in heaven, sweetheart. I love you!”

“You have given me reason to be strong and wise and responsible”.

“A lot of beautiful, wise women have been here before & are here today. Be gentle with yourself on this journey”.

“Even if it doesn’t feel right doesn’t mean it’s wrong”.

The messages are written on pink post-it notes and displayed on the abortion facility’s walls. Here we have an example of abortion providers encouraging women to acknowledge the existence of their unborn children, in a way that echoes Wolf’s thoughts in the Jizo article only a few years previously.

The November Gang, a group of abortion facilities throughout the States, was actually established before Wolf’s piece was published, November 1989. It came to the attention of the American public, however in a 2003 article in Glamour Magazine.^[8] The Gang’s aim is explained in the article as allowing women to vent their feelings and “heal” before and directly after the abortion. Women with religious beliefs are encouraged to sprinkle holy water, sometimes over the body of their aborted foetus, as a way of “baptising” their children. The language that the facility staff uses deliberately reaffirms the feelings of the mother – if she talks about her “baby” and “killing” then the staff do to. However, the discussion is of forgiveness and healing even though a woman might feel that what she’s doing is wrong. One question on the list used by facility counsellors asks “Do you think there are any things that God considers completely unforgivable?” In some facilities the woman is invited to choose a coloured pebble to take away with her after the abortion. The woman is left to decide the significance of the stone herself, but the purpose is to help bring “closure” to the experience.

It seems, perhaps, that the ritualising of abortion isn’t only compatible with particular Eastern world-views.

These are two practical examples of abortion as a matter exclusively about the rights of the mother – her right to choose, her right to feel positive about her choice, her right to grieve if she thinks this is appropriate. The right-to-life of the baby is completely out of the equation here.

3. Pro-abortion arguments in philosophical literature.

Pro-abortion arguments that flatly deny the right to life of the foetus usually avoid the issues of grief and guilt. If the baby has

no right to life, then there's nothing unethical about abortion and thus nothing to feel remorseful or guilty about. The practical examples above show that remorse and guilt can be part of the picture when we focus only on the mother rather than considering the baby's right to life. If the baby's right to life was part of the picture could a mother say "I love you my sweetheart", recognising the life to be ended, and yet go ahead with ending it anyway? This isn't so much a question about what a mother could do, since many women are under great stress at the time of an abortion. Rather, it's a question of what society should be allowing a woman to do.

Other pro-abortion arguments not based in feminist thought make similar moves. Rosalind Hursthouse, a virtue theorist, denies that "guilt and remorse are never appropriate emotions about abortion". She goes on,

They may be appropriate, and appropriately inculcated, even when the decision was the right one [9]

Hursthouse suggests that a woman can feel guilty and remorseful about her prior behaviour that led to the situation in which she needed an abortion. Remorse and guilt doesn't come into play because someone's right to life has been denied; what's of significance only concerns the mother's rights and feelings. In addition, the quote suggests that the negative feelings don't entail that the abortion itself is bad or wrong. Moreover, this way of thinking doesn't preclude the possibility of abortion taking place in a woman's life a second time.

4. Scottish statistics for repeat abortions.

This leads to my final example – perhaps an unsurprising result of these woman-centred approaches to abortion is that repeat abortions are not unusual.

Director of SPUC Scotland, Ian Murray, who we have with us today, obtained figures on repeat abortions under the Freedom of Information Act. These figures it's been claimed "paint for the first time a clear picture of the true nature of abortion in Scotland".[10]

In 2005 80% of Scotland's repeat abortions were second abortions (2,505), while 16% were third abortions (522) and the remaining 4% were four or more (175).

Women under-25 make up nearly half of all those having their second abortion (43%), and 152 women in Scotland in 2005 had had three abortions by the time they reached 25 years of age, and 37 had at least four abortions.

Ian Murray, rightly, commented, "During the debate on the Abortion Bill back in 1967 much was made of the need for legalised abortion in order to resolve the difficult cases of rape, women who were said to be overburdened by childbearing, and young women who would find it difficult to cope. Clearly this tragic Act has led to enormous abuse. That women can have three and four abortions before their 25th birthday is a public scandal." Attention to these "difficult cases" in the early debate underscores the initial concern with how considerable circumstances had to be to outweigh the right-to-life of the fetus.

Revisiting The Right-to-Life

I hope that these examples show why it's important that the right-to-life of the unborn baby is at the very heart of the debate over abortion. Women who visit abortions facilities like those belonging to the November Gang are only being told half the story – you're killing your baby. That the baby might have a right not to be killed in the same sort of way that the mother has a right not to be killed must be part of the discussion if the decision to abort is to be justified.

Those who support abortion are likely to say at this point that all I've shown is that we make abortion easier for women when we disregard the idea that the unborn baby might have a right-to-life. I suspect that they'll also contend that this can only be a good thing. In the remainder of the paper I want to explain why it makes no sense to talk about the mother's rights without those rights being grounded in the right-to-life for every human being no matter what stage of development.

Perhaps we can begin this discussion by asking what a right is. We might make a distinction between legal or civil rights on one hand and moral or human rights on the other, noting that the later kind of right – a human or moral right – is one that is supposed to over-ride civil or legal considerations. In addition, human rights are often said to be inalienable and universal, meaning that they have some kind of objective status. It isn't the case that you have the human or moral right not to be tortured because in Britain we've decided that it's a good thing not to torture other people. You have this as a right in virtue of the fact that you're a human being and even if you go to a country where this right is blatantly disregarded, you still have the right not to be tortured although, in actuality, the right is being infringed. This just is why we talk of human rights abuses even in societies where the abuser may be operating within the law of the land.

In the case of abortion, why is it that we can't, like some feminist approaches, concentrate on how women feel about abortion experiences and try in whatever way we can to make those experiences more positive? The danger is that this subjective approach has little or no grounding – why are my negative feelings towards abortion any less valid than another person's positive feelings towards abortion? The pro-abortion lobby, particularly on the world-stage, deliberately retains talk of "reproductive rights" because they want these rights to be universally acknowledged. A subjective approach to ethics

doesn't provide the universality that the pro-abortion lobby requires to bring the abortion industry to every part of the world – particularly those parts where the majority opposes abortion.

The problem is that invoking rights – the right to do what I like with my own body, rights to information and choice – make little sense unless they're underpinned by a right-to-life in the first place. Rights, especially those we consider human rights, are supposed to operate as a kind of trumping card in our moral discussion. That one has a right not to be tortured is supposed to bring a discussion of, for example, torturing a suspected terrorist for information to a close – you just can't do it. If my right to live in a safe environment clashes with someone else's right not to be tortured then it may not be that both rights can be upheld simultaneously. If all rights become trumping cards, then none can be. A second consideration is that rights imply duty or obligation. If I have a right not to be tortured, then you have a duty or obligation to refrain from torturing me.

We talk about rights to education, rights to clean water and air, rights to decent housing and food. But too often these rights clash and where they do, if all are considered genuine rights, one can't be said to trump the other. Moreover, who has a duty or obligation to make sure these rights are being met? Can this be the sole responsibility of the government or are big corporate business obligated to me here also? What about my fellow community members, how far are they duty-bound to make sure my rights to education and clean air are being upheld?

We can also ask where rights come from. Compare these statements from two highly-regarded rights documents.

1. The American Declaration of Independence (1776) – “We hold these truths to be self evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness”.
2. The United Nations Declaration of Human Rights (1948) – “[] recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world”.

In the first document the rights we have come from God, this isn't necessarily a Christian God, but is, nonetheless a creator God that fits in neatly with the major monotheistic religions. Not all peoples will readily acknowledge this religious underpinning and this is made evident in the later document where rights are grounded instead in the recognition of inherent dignity. Roger Trigg, philosophy professor at Warwick University, discusses this grounding. He writes,

Yet [the declaration] does not say where this [dignity] comes from or why we have it. We just do. Article 1 says that ‘all are born free and equal in dignity and rights’. Why is this so? The next sentence significantly reads: ‘They are endowed with reason and conscience, and should act towards one another in a spirit of brotherhood’. The word ‘endowed’ calls into question who or what has endowed us .[11]

Trigg goes on to explain that despite the religious overtones of ‘brotherhood’ the religious language is deliberately downplayed for the sake of acceptance by atheistic societies such as the Soviet Union. He argues,

This, though, makes the Declaration vulnerable at a theoretical level, since when the idea of human rights is challenged, there seems no way of defending it, beyond pointing to international agreement.

And as we know, it simply isn't the case that the required agreement is realised – in theory or in practice. Moreover, agreement can unjustly favour a majority; we can't safely assume that agreement always leads to an ethical situation.

Rights have to be grounded in something firmer if they're to have the desired universal applicability in our moral considerations. We sometimes talk of natural rights with the idea that our rights are based on our nature as human beings. While this isn't without its own problems, perhaps we might at least say that at the very bottom of our talk of being human is the idea of being alive. When we think of what makes us human – our rationality, our creativity, our emotional responses, our autonomy – a necessary condition for all of these is that we are alive.

If we're going to include rights talk in our moral discussions at all then we must address the right-to-life as a pre-requisite for all other rights we might have.

Conclusion

None of this counts as an argument against abortion – it still remains open for the pro-abortionist to show that the unborn baby doesn't have a right to life or that there are circumstances in which this right can be over-ridden. What I hope I have shown is that, contrary to where I see the debate moving to, where we really need to be at is right-to-life discussions.

For the pro-life side of the debate, focusing exclusively on the mother runs the risk of allowing grief, remorse and regret while leaving the door wide open for abortion, and more specifically, for repeat abortion.

For the pro-abortion side of the debate, if conclusions are to be universally applicable, there needs to be clear indication of

where the woman's rights are to be grounded. This can't be done without acknowledging the fundamental right-to-life supporting any possible notion of human rights.

How should we look at the pregnant woman? I've suggested that we need to keep at the forefront that two human beings are involved in any woman's pregnancy. Exactly how we might go about that is beyond the scope of this paper. But by thinking carefully about how we see the pregnant woman - the woman with child - the right to life of the unborn baby can remain sharply in focus in the abortion debate.

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