
8. Abortion Rights: Fight for Women's Right on Her Own Body

Rachel Aditi Joseph

Abstract:

Abortion is a topic that is widely debated in our society today. It has been a highly controversial and emotionally charged topic that has been debated for decades. It involves the termination of a pregnancy by either surgical or medical means and is often viewed through religious, ethical, and political lenses. This research paper aims to provide a comprehensive analysis of the issue, looking at its various aspects and implications.

At the beginning of the paper, we will explore the reasons why women may choose to have an abortion, including unintended pregnancies, health concerns, and social and economic factors. Then we will study the impact of abortion on women's physical and mental health including the risks and benefits of different methods of abortion and the long-term effects on women's health. In addition to the above, the paper will also explore the history of abortion laws surrounding abortion. This will include a detailed analysis of the different perspectives and laws shaping abortion discussions. In conclusion, the paper will offer implications for promoting abortion rights for women and also for promoting awareness about reproductive health and reducing the need for abortions. Overall, this research paper aims to contribute to the ongoing discussions about abortion by providing a balanced study of the issue. By examining its various aspects and implications, the paper seeks to inform and educate readers about this complex and controversial topic.

Keywords:

abortion, justice, mental health, ethics

Introduction:

"No woman can call herself free who does not control her own body." - Margaret Sanger

Abortion is the ending of a pregnancy before birth. An abortion results in the death of the embryo or fetus and may be either spontaneous or induced. In a spontaneous abortion, also termed a miscarriage the fetus passes from the women's body. Many spontaneous abortion results from natural causes. When this occurs before the 16th week of gestation as it does in fully 75% of the cases the fetus if it were at all present almost always has died 2 to 5 weeks before expulsion of the abortus. In about 50% of abortuses, no fetus is found only an abnormal placenta is present. If expulsion does not follow the separation of the placenta or the death of the fetus, the condition is called missed abortion and usually requires surgical removal of the abortus. It is estimated that about 12% of recognized pregnancies are aborted spontaneously. In an induced abortion, the fetus is removed by artificial - usually medical means. When a woman is faced with an unintended pregnancy, she may decide to terminate the pregnancy by inducing an abortion.

An induced abortion is the termination of a pregnancy before the fetus is viable: the prestige might be legal or illegal, depending on the law that exists in the country. There are two main types of methods used by healthcare providers to induce an abortion: The surgical method, such as manual vacuum aspiration, and, the medical method, using either a drug called misoprostol or a combination of mifepristone and misoprostol. This procedure is done in a hospital or a specialized clinic. Induction abortion may take up to several hours or more than a day to be completed.

Reasons Why a Woman May Choose to Have an Abortion:

The reasons why women may choose to have an abortion are varied and complex. The term “unintended pregnancy” does not always explain the reasons for a person’s decision. People may choose to end a pregnancy for a range of reasons, and there is no invalid reason to have an abortion. Some primary reasons why an individual may choose to have an abortion are mentioned ahead. Unintended pregnancy is a very common reason, often due to a lack of access to contraception or inadequate sex education. Health concerns such as the risk of birth effects or maternal morality may also influence the decision. Some people may also not be emotionally ready to have a child. They can be mentally unprepared and ready for a child and may not feel mentally stable enough to raise one. Additionally, social and economic factors such as poverty or financial issues, lack of social support, and career or educational goals play a major role in one’s decisions.

Impact of Abortion on Women’s Physical and Mental Health:

Lack of access to safe, affordable, timely, and respectful abortion care, and the stigma associated with abortion, pose risks to women’s physical and mental well-being throughout the life course.

Inaccessibility of quality abortion care risk is a violation of the rights of women and girls, including the right to life; the right to the highest attainable standard of physical and mental health; the right to benefit and to be able to use scientific progress and its realization; the right to decide freely and responsibly on the number, spacing, and timing of children; and the right to be free from torture, cruel, inhuman and degrading treatment, and punishment.

Each year, about 4.7 – 13.2% of maternal deaths can be attributed to unsafe abortions.

It is observed that 30 women die for every 100,000 unsafe abortions and the number further raised to 220 deaths per 100,000 abortions. Physical health risks associated with unsafe abortion include:

- Incomplete abortion (i.e., failure to remove or expel all pregnancy tissue from the uterus);
- Hemorrhage (heavy bleeding);
- Infections
- Uterine perforation (caused when the uterus is pierced by a sharp object) and
- Damage to the genital tract and internal organs as a consequence of the insertion of dangerous objects into the vagina or anus.
- Death

Common Side Effects of abortion on women are:

- Bleeding (average of 14 to 21 days)
- Cramping
- Dizziness
- Drowsiness
- Nausea / Vomiting

These symptoms may take from a week to a very long time to resolve.

Case Studies:

The Negative Effects of Restricting Women's Access to Abortion (2012:)

Background: In 2012, the Republic of Ireland had strict anti-abortion laws in place, which only allowed for abortion in cases where the mother's life was at risk.

This case study focuses on the tragic story of Savita Halappanavar, a 31-year-old dentist, who was denied an abortion despite her deteriorating health.

Situation: Savita Halappanavar was 17 weeks pregnant when she was admitted to University Hospital Galway in October 2012, experiencing severe back pain.

Doctors determined that she was miscarrying, and her fetus had no chance of survival. However, because the fetus still had a heartbeat, the medical staff refused to perform an abortion, citing the country's strict abortion laws.

Outcome: Savita's condition worsened over the next few days, and she developed septicemia, a severe blood infection. Despite the medical staff's efforts to save her, Savita passed away on October 28, 2012.

Her death sparked outrage and protests across Ireland and the world, highlighting the negative effects of restrictive abortion laws on women's health and well-being.

Impact: Savita's tragic story led to significant changes in Ireland's abortion laws. In 2013, the Irish government passed the Protection of Life During Pregnancy Act, which allowed for abortion in cases where the mother's life was at risk, including suicide.

In 2018, the Irish public voted overwhelmingly to repeal the Eighth Amendment of the Irish Constitution, which had given equal rights to the mother and the unborn child. This historic referendum paved the way for more accessible abortion services in Ireland.

Conclusion: Savita Halappanavar's case demonstrates the negative effects of restricting women's access to abortion. Her death was a turning point in the fight for reproductive rights in Ireland and serves as a reminder of the importance of ensuring that women have the right to make decisions about their bodies and health.

The Negative Effects of Restricting Women's Access to Abortion (2019)

Background: In 2019, the state of Alabama in the United States passed a law that effectively banned abortion in almost all cases, including rape and incest. The law only allowed for abortion if the mother's life was at risk. This case study focuses on the story of "Jane Doe" (a pseudonym used to protect her identity), a woman who faced severe consequences due to the restrictive abortion laws in Alabama.

Situation: In 2020, Jane Doe, a 22-year-old college student, discovered she was pregnant after being sexually assaulted. She was unable to access abortion services in Alabama due to the state's strict abortion laws. Jane Doe, unable to afford to travel to another state for an abortion, felt she had no choice but to carry the pregnancy to term.

Outcome: Jane Doe experienced significant emotional and psychological distress throughout her pregnancy, as it was a constant reminder of the traumatic event she had experienced. She struggled with depression and anxiety, which affected her academic performance and personal relationships. After giving birth, Jane Doe faced the challenges of being a single mother while trying to complete her education and cope with the emotional aftermath of her assault.

Impact: Jane Doe's story highlights the negative effects of restrictive abortion laws on women's mental health and well-being. It demonstrates the importance of ensuring that women have access to safe and legal abortion services, particularly in cases of rape and incest. Her experience also underscores the need for comprehensive support services for survivors of sexual assault, including mental health care and financial assistance.

Conclusion: This recent case study illustrates the negative consequences of denying women the right to abortion. Restrictive abortion laws can have long-lasting effects on women's mental health, educational opportunities, and overall quality of life. It is crucial to advocate for reproductive rights and ensure that women have access to the healthcare services they need.

Abortion Laws for Women and their Rights According to the Years:

1971: The Medical Termination of Pregnancy Act (MTP Act) was enacted in India, which allowed abortions only in cases where the life of the mother was in danger. The act was enacted to address the issue of unsafe abortions and maternal mortality rates in the country. Before the MTP Act, abortions were only legal if they were deemed necessary to save the life of the mother.

2002: The MTP Act was amended to allow abortions up to 12 weeks in cases where the pregnancy was a result of rape or contraceptive failure, or if the continuation of the pregnancy would cause physical or mental harm to the mother.

This amendment aimed to provide more options for women who became pregnant as a result of sexual violence or who were unable to use contraception effectively. It was also an acknowledgment of the fact that women have a right to make decisions about their own bodies and reproductive health.

2003: The MTP Act was further amended to allow abortions up to 20 weeks in cases where the pregnancy was a result of rape or contraceptive failure, or if the continuation of the pregnancy would cause physical or mental harm to the mother or the child. This amendment aimed to provide more options for women in cases where there was a risk to the health of the fetus. It recognized that the health of the mother and the child are closely linked and that both need to be taken into consideration when making decisions about abortion.

2017: The MTP Act was amended again to allow abortions up to 20 weeks in cases where the health of the mother is at risk or in cases of fetal abnormalities. This amendment expanded the circumstances under which abortion was permitted and aimed to reduce maternal mortality rates by ensuring that women had access to safe and legal abortions. The amendment also recognized that fetal abnormalities can have a significant impact on the mental and emotional well-being of the mother and that women should have the right to choose whether or not to continue with such pregnancies.

2021: The Supreme Court of India allowed a woman to terminate her pregnancy after 24 weeks, despite the legal limit of 20 weeks. The court made this decision because the fetus had a severe abnormality and was unlikely to survive after birth.

This decision highlighted the need to consider the unique circumstances of each case when making decisions about abortion and the importance of ensuring that women have access to safe and legal abortions, regardless of the legal limit. The case also highlighted the need for more awareness and education about the law and women's reproductive rights in India.

2022: In April, the Rajasthan High Court passed a landmark judgment allowing a 16-year-old girl to terminate her pregnancy after the legal limit of 20 weeks. The girl had been raped by a family member and was unable to access abortion services earlier due to the COVID-19 pandemic. The court's decision was based on the fact that the girl's mental and emotional well-being was at risk due to the pregnancy and that denying her the right to terminate the pregnancy would violate her fundamental rights.

The judgment was seen as a significant step forward in the fight for women's reproductive rights in India, particularly in cases of sexual violence. This decision also highlighted the impact of the COVID-19 pandemic on women's reproductive health and the need to ensure that access to safe and legal abortion services is not interrupted during emergencies or crises.

Reduced Stigma: Abortion is a stigmatized topic in many societies, which can prevent women from seeking out reproductive healthcare services and can lead to feelings of shame and isolation among women who have had abortions. By promoting abortion rights and reducing the stigma surrounding abortion, society can help women feel more supported and accepted, reducing the social and cultural barriers that prevent women from seeking out reproductive healthcare services. Overall, promoting abortion rights is crucial to improving women's health and promoting gender equality

By ensuring that women have access to safe and legal abortions, we can empower them to make informed decisions about their bodies and lives and provide them with the resources and support they need to live healthy and fulfilling lives.

Conclusion:

"The decision whether or not to have an abortion is one of the most intimate and personal decisions a woman can make. It is her right, and hers alone. Women must have the right to make these decisions." - Barbara Levy Boxer

To wrap things up, supporting abortion rights for women is super important to make sure that women can make choices about their bodies and lives. Having access to safe and legal abortions can help stop unwanted pregnancies, reduce reproductive health problems, and make sure that women get screened and treated for things like cervical cancer. By giving women the power to make informed decisions about their reproductive health, promoting abortion rights can also help make things more equal for women. They can go after education, jobs, and other things they might not be able to do if they were pregnant unexpectedly. Another big reason why supporting abortion rights is so important is that it can save lives. In some countries, women can't get safe and legal abortions, which can put their health and even their lives at risk. By making sure women have access to safe and legal abortions, we can make sure that they have access to good healthcare and that they don't have to use dangerous methods to end pregnancies. Supporting abortion rights can also help make things less hard for women who have had abortions. Sometimes people think badly about women who have had abortions, which can make them feel alone or ashamed. By being more open and accepting about abortion, we can help women feel more supported and less alone. This can help more women feel like they can get the healthcare they need to stay healthy and happy. To sum up, supporting abortion rights is important because it helps women make choices about their bodies, promotes equality, can save lives, and helps women feel less alone. Leaders and healthcare professionals need to make sure that women have access to safe, legal, and affordable reproductive healthcare services.

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