

## HOW TO THINK ABOUT ABORTION

Miércoles 16:00 a 20:00 hrs.

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While abortion is a frequent matter of public debate it rarely gets serious ethical consideration outside of the academia. Competing near absolutes prevail. For those on the women's rights side, the answer to all questions is "Trust Women". The comeback of those opposed is "Abortion is Murder."

This course will bring together scholars and advocates who hold a range of views on the subject. The goal is to present the best thinking and arguments on all sides and generate civil discussion and challenges to various views.

Controversies to be explored include women's moral agency; the moral status of various forms of life - stem cells, embryos, fetuses, children and adults; who decides - women, men, doctors, minors' parents, the state; the role of health care professionals and their conscience, social consequences of abortion - women's health and life, attitudes toward disadvantaged persons such as poor people and people with disabilities: population dynamics: and the stages at which abortions can be provided.

### Building A Foundation

In the first two sessions, we'll lay the foundation necessary to understand the main arguments for and against abortion and explore our own views on the ethics of abortion.

### **1. Situating abortion in the context of procreation, sexuality and women's identity**

- Ingrid Robeyns, "Is procreation special?" *The Journal of Value Inquiry* (2021).
- Margaret Little, "Abortion, Intimacy, and the Duty to Gestate", *Ethical Theory and Moral Practice* Vol. 2, No. 3 (1999), pp. 295-312.
- Sidney Callahan, "Abortion and the Sexual Agenda: A case for Prolife Feminism", [angelfire.com/ego/staples009/images/15.htm](http://angelfire.com/ego/staples009/images/15.htm)

### **2. Contrasting views of the ethics of abortion**

- Don Marquis, "Por qué es inmoral el aborto", en M. Valdés (comp.), *Controversias sobre el aborto*, México: FCE, 2001.
- Judith J. Thomson, "Una defensa del aborto", en M. Valdés, *op. cit.*
- C. Kaczor, *Protecting the Vulnerable: Why We Must Fight for the Inviolability of Human Life*, <https://www.thepublicdiscourse.com/2015/01/14129/>

### **3. The Act of Abortion and its Consequences**

- Medical Procedures for abortion Details on methods
- Consequences of unsafe abortion for women
- Social significance of reasons for abortion: e.g. fetal disability, poverty
- Abortions after fetal viability

- Susheela Singh, “Global Consequences of Unsafe Abortion”, *Women’s Health* (2016), <https://doi.org/10.2217/WHE.10.70>
- Finer, L.B., L.F. Frohworth, L.A. Dauphinee, S. Singh, and A.M. Moore. 2005. Reasons U.S. Women Have Abortions: Quantitative and Qualitative Perspectives. *Perspectives on Sexual and Reproductive Health* 37 (3): 110–118.4.

#### 4. Moral Status of the Fetus

- C. Kaczor, *The Ethics of Abortion*, Londres: Routledge, 2015, caps. 3 y 4.
- Warren, Mary Anne, "On the Moral and Legal Status of Abortion". *Monist* 57:1: 43-61.

#### 5. Application of Ethical Principles to Abortion

- Do No Harm – Iniciativas Sanitarias, Uruguay
- Beneficence – contraception and post abortion care
- Respect for Autonomy freedom of choice and violations of autonomy
- Justice: Allison Jaggar, “Abortion rights and gender justice worldwide: An essay in political philosophy”, *Abortion: Three Perspectives*, Nueva York: Oxford University Press, 2009.

#### 6. Abortion laws

- General types of laws and country specific examples
- Constitutional Rights based frames
- Legislation based on public health needs

##### The United States

- Reva Siegel, “La constitucionalización del aborto”, en R. Cook, J. Erdeman y B. Dickens (eds.), *El aborto en el derecho transnacional*, México: FCE, 2016.
- Abortion in the US: Garrow David, Liberty and Sexuality. The Right to Privacy and the Making of Roe v. Wade

##### Early European Laws

- Rosemary Radford Ruether Abortion in Italy

#### 7. Abortion laws in Mexico and current challenges

- Alma Beltrán y Puga, “La jurisprudencia constitucional sobre el aborto en México”, en P. Bergallo, I.C. Jaramillo y J.M. Vaggione (comps.) *El aborto en América Latina*, Buenos Aires: Siglo XXI, 2018.
- Jimena Soria y Regina Tamés, “¿Liberalización total? Los retos del aborto en México”, en P. Bergallo, I.C. Jaramillo y J.M. Vaggione (comps.) *El aborto en América Latina*, Buenos Aires: Siglo XXI, 2018.

#### 8.. Abortion in Latin America (Uruguay, Argentina, Chile, Colombia, Brazil)

- S. Cartabia y C. Hopp, “El uso estratégico de las causales para ampliar el acceso al aborto legal en América Latina”, en P. Bergallo, I.C. Jaramillo y J.M. Vaggione (comps.) *El aborto en América Latina*, Buenos Aires: Siglo XXI, 2018.

- C. Gianella, "Movimiento transnacional contra el derecho al aborto en América Latina", en P. Bergallo, I.C. Jaramillo y J.M. Vaggione (comps.) *El aborto en América Latina*, Buenos Aires: Siglo XXI, 2018.

## 9. Religion and Abortion

### Catholicism

- M.J. Gorman, *Abortion and the Early Church*, Downers Grove: IVP, 1983.
- J. Hurst, *La historia de las ideas sobre el aborto en la Iglesia católica*, México: CDD, 1992.

### Hinduism, Buddhism and Islam

- Serour, Gamal I. "Reproductive Choice: A Muslim Perspective". In *The Future of Human Reproduction: Ethics, Choice and Regulation* edited by John Harris and Soren Holm. Clarendon Press 1998. P. 191-202.
- Karma Lekshe Tsomo, "Prolife, Prochoice: Buddhism and Reproductive Ethics," *Feminism and Nonviolence*, Fall 1998.

### Religion and the Secular State

- Pauline Capdevielle y Fernando Arlettaz, "Laicidad y derecho legal al aborto", <https://archivos.juridicas.unam.mx/www/bjv/libros/10/4732/21.pdf>.

## 10. The applicability of human rights theory to abortion

- Are women's rights human rights? A history of resistance
- Does the fetus have human rights
- "Human Rights Dimension of Poverty and the link to reproduction", <https://www.ohchr.org/en/issues/poverty/dimensionofpoverty/pages/index.aspx>

## 11. Conscience and Abortion. Who decides?

- G. Ortiz Millán, "Abortion and Conscientious Objection. Rethinking Conflicting Rights in the Mexican Context", *Global Bioethics* 29:1 (2017): 1-15.
- Cabal, Luisa et al., "Striking a Balance: Conscientious Objection and Reproductive Health Care from the Colombian Perspective", *Health and Human Rights Journal* (2014), <https://www.hhrjournal.org/2014/09/striking-a-balance-conscientious-objection-and-reproductive-health-care-from-the-colombian-perspective/>

## 12. Who Owns the Conceptus?

- Men's Role in the Abortion Decision
- Conflict over stem cells and frozen embryos
- Planned Parenthood v. Casey

## 13. Is there any common ground on abortion and is it a wise approach?

- L. Tribe, *El aborto: guerra de absolutos*, México: FCE, 2012, cap. III

- Plenty of Common Ground on Abortion,  
<https://news.gallup.com/poll/148880/plenty-common-ground-found-abortion-debate.aspx>.

#### **14. Summary and conclusion**