Name of Student

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Day Month Year

**Should Abortion be Legal or Illegal**

**Introduction**

Abortion is the process of ending of a pregnancy by expulsion or removal of a fetus or an embryo even before it can survive outside the uterus. In cases where deliberate steps are taken to terminate a pregnancy, it is known as induced abortion. Abortion has been the center of contentious debate for decades. Moral, ethical, religious and legal issues pertaining to abortion are associated with the contemporary system. For instance, the argument is established on the premises of governmental authority, fetal rights and the women’s right. In both private and public discourse, the arguments stipulated against or in favour focus either on the justification of regulations restricting abortion or the moral paradigm of induced abortion. The World Medical Association Declaration on Therapeutic Abortion stipulates, “circumstances bringing the interests of a mother into conflict with the interests of her unborn child create a dilemma and raise the question as to whether or not the pregnancy should be deliberately terminated”. There exist two groups involved in the framework as the anti-abortion groups and abortion rights groups. Throughout the world, states advance to promulgate various laws influenced by the internal policies and the social perception pertinent to the practice of abortion. Irrefutably, women nourish the fundamental right to exercise their will and those with an unwanted pregnancy seeking abortion ought to be permitted without impediments.

**Discussion**

A wide range of laws and limitations encompassing abortion hardly make any lawful or general sense. Abortion is made safe and reliable, in essence, in the circumstances when it is accessible to the women upon their desire. From this point of view, few existing laws are fit for reason. Be that as it may, the path to reconstruct laws is long and troublesome. The advocates of abortion ought to critically examine the political, legitimate, healthcare, juridical, and socio-social substances encompassing existing law and strategy in their nations and choose the laws which should be replaced. There exist tremendous benefits of legalizing abortion in the framework of social and economic development, especially related to women. The restrictions imposed on them are a blatant denial of dispensing them their rights and the decision to decide about their life. However, it is a challenging task to be accomplished. For instance, it is required to evaluate the conceivable argument to accomplish, construct assistance and collaborate with the law specialists, healthcare professionals, policymakers and the majority of women to make abortion a legal practice in true letter and spirits (Berer). First, the primary aim ought to be the acquisition of the decriminalization of abortion. The term decriminalization indicates the following aspects:

* Refraining from punishing anyone for offering safe abortion
* Refraining from punishing anyone having an abortion
* Abrogating the investigation procedures and involvement of police
* Keeping courts out of the matters and giving decisions on the practice of abortion
* Considering abortion as an essential form of healthcare which is service delivery. The skilled training of providers and the establishment of the evidence-based structures alongside the existing laws to address the negligent practices should be promulgated.

Besides, it is critical to examine the historical context wherein impediments for abortion were introduced. The foremost reason was abortion being detrimental and manifesting in the deaths of several women. The restricting laws primary aimed at preventing the death rate and protecting the health of women. These laws were also contentious even in the past at the time of their promulgation. However, women still advanced to seek abortion despite the restrictions and a similar case is observed in the contemporary era. Second, it was considered a kind of transgression of morality or sin and thus laws were promulgated to act as a potential deterrent. These were the fundamental reasons which were highlighted by the anti-abortion groups in the past. However, technological advancement has changed the state of affairs to a significant extent. Since the procedures of abortion have become safe, the regulation against abortion sounds rational only in instances to protect the fetal life over that of women. The death rate of women in the present era because of abortion is an explicit manifestation of the leftovers of laws of the past which urge the women who cannot afford to pay for the safe illegal abortion to undergo dangerous and unskilled procedures.

As per the provisions of the World Health Organization (WHO), abortion is one of the safest medical processes if done properly. It is also the cause of one in sex maternal deaths because of the complications in unsafe abortion. A researched conducted by WHO, in 2004, based on the collection of data from various states reflects that the wider the legal framework for abortion, the lesser deaths resulted from procedures of unsafe abortion(Berer) . Six prominent grounds for safe abortion in various states. These constitute the threat to life, sexual abuse or rape, severe fetal anomaly, risk to mental and physical health, on request and economic and social factors. Each of these factors was assessed and intriguing outcomes were revealed. The states which permitted abortion on request without any impediments witnessed nearly no death rates. It is a solid proof of the argument that the best manner to consign unsafe abortion is by abrogating the impediments and offering the universal access to safe abortions. Internationally, 25% of pregnancies terminated in induced abortion from 2010 until 2014 in states where high rates of contraceptive prevalence were observed (“Important Conclusions from Abortion Studies”). The surge of effective campaigning, the right to safe abortion and widespread awareness of women’s rights also contributed toward the cause. A growing amount of governments in the Global South and Global North have advanced to acknowledge that minimizing unsafe abortion is the primary part of their resolution to reduce avoidable maternal deaths and their commitment under the international human rights law.

Furthermore, the need and advocacy for permitting safe abortion has also raised by several international organizations. The bodies of the United Nations (UN) including the Committee on the Elimination of Discrimination against Women, the Human Rights Committee, the Committee on the Economic, Social and Political Rights, the rights of women in Africa and the Working Group on discrimination against women in law and practice, all of these bodies have played an instrumental role to raise the awareness and voice for progressive abortion law reforms (Berer). It is essential to underpin that none of the human right bodies have progressed to call for the need of abortion to be allowed at the request but several have advocated for abortion to be decriminalized. Thus, it becomes imperative to differentiate between the concept of legalized and decriminalized abortion. Decriminalizing abortion refers to abrogating the criminal provisions against abortion collectively while legalizing abortion highlights the manifestations of keeping it in law in peculiar form by recognizing the grounds where it is permitted(“Important Conclusions from Abortion Studies”). A critical appraisal of the matter reveals that abortion is legal on some grounds in all but a few states in the contemporary era. Canada is the only state until the date that decriminalized abortion thoroughly after a Supreme Court decision announced in 1988. None another state, despite introducing liberal law reforms, has been inclined to remove abortion from the law that prevents it.

In addition, the change in the law on abortion ought to be promulgated as it has become the need of the hour. Several women and abortion providers have broken and confronted the restrictive abortion laws persistently. In states where the laws are restrictive, research highlights that abortion practices are still stretched to an immense extent for meeting the essential needs of the women. Since each human being is entitled to exercise his/her will, abortion ought not to be restricted as it confronts the will of a woman. A wide range of surveys has been conducted in this regard to comprehend the views of the public. As of 2018, the support for legal abortion remained as high as it was in the previous two decades of polling. Approximately, 59% stated abortion to be legal in most cases where 36% were inclined toward keeping it illegal. It is imperative to deliberate that the religious groups and cultures also adhere toward keeping abortion legal in several states including the United States of America (USA) (NW et al.). The advocates of abortion raise critical and rational arguments to supplement the need of making abortion legal. First, the right to privacy is the fundamental right cherished by women. A landmark abortion case namely Roes v. Wade decided in 1973 in the US is an explicit illustration of making abortion the law of the land. The decision was made in light of the fundamental right to privacy as it is the prerogative of a woman to decide whether or not to give birth to a child.

Moreover, fetuses become incapable of experiencing pain when abortions are performed. As per an empirical review conducted by Britain’s Royal College of Obstetricians and Gynecologists, several neuroscientists are of the view that the cortex is imperative for pain perception. In the past, the restrictions on abortion were justified because of the lack of potential advancement and innovation in the research and medical field. However, medical sciences and research have experienced a paradigm shift as a manifestation of robust technological advancement. The modern abortion procedures have become safe and do not cast lasting or severe health complications as infertility or cancer. For instance, a research study proposed by Obstetrics and Gynecology stated that approximately less than one quarter of 1% of abortion causes major health complications. A woman’s chances to die during abortion are 0.6 in 100,000 whereas the threat to die while giving birth is 15 times high as 8.8 in 100,000 (Worrell). Scientists have proved that there exist widespread complications in pregnancy with childbirth in comparison to abortion. Irrefutably, the medical paradigm of the issue also advocates for permitting the practice of abortion as is the case with the moral and legal dimensions.

Women who are denied the right to abortion suffer from grave mental and physical health adversities. The women who are sanctioned the right to receive abortions rarely suffer from mental health problems. It is a critical matter as it is related to the mental health of a mother and a mother with grave or complicated mental health is never safe for raising a child. In the contemporary world of globalization, women have advanced to stand side by side with women and have contributed significantly to the welfare of society. Under these circumstances, restricting abortion and making it illegal not only does harm to the mother but also desecrates the spirits of women equality and rights. Thus, it is imperative to abrogate the radical restrictions which impose unwanted action on women and prevent them from deciding the very issue of giving birth to a child or not. A research study published by the University of California, San Francisco concluded that women who were denied abortion were four times more likely to be below the poverty line after two years in comparison to the women who were offered the right to receive to abortion (“Abortion - Pros & Cons - ProCon.Org”). Various reasons aid to the increase in poverty among such women. For instance, such women were likely to remain in a relationship with the abusive partner and in severe cases become a victim of domestic violence. If abortion is not legalized throughout the world, such cases will continue to surface and may accelerate. By every moral standard, a baby should only come into the world as per the desires and intentions of a mother. The denial of abortion implies the mother is being forcefully imposed with the responsibility to give birth and raise a child. Unwanted pregnancies are often associated with low birth weight, birth defects, enhanced risk of child abuse, delayed entry into prenatal care, maternal depression, reduced rates of breastfeeding and an enhanced threat of physical violence. All these factors indicate the restriction on abortion not only causes detrimental ramifications on the mother but also on the infant.

Likewise, the global community is progressing to deem abortion as a potential means of birth control. As per estimates of the United Nations (UN), the population of the world will increase to 9.4 billion by 2050. The unintended pregnancies also add substantially to these staggering numbers. If the regulations and perceptions are not reconstructed, the explosion of population bomb will manifest in detrimental consequences for various states, societies, genders and ethnicities across the world. Thus, permitting and legalizing abortion will offer an added incentive of population control by curbing the unintended births. Moreover, several religious dogmas and organization adhere to the provision of reproductive choice to women. The denial of the provision is considered a heinous moral transgression and a sin in several religions. However, it never implies all the religious groups advocate legalizing abortion. The Bible, in spite interpretations to the contrary, refrains from having an explicit rebuttal or abashment of abortion and never demonstrates the killing of a fetus similar to the killing of a human. Thus, legalizing abortion is productive for the social, economic, political and religious framework as concluded by the discussion.

**Conclusion**

To conclude, the discussion demonstrates empirical evidence and offers a rational argument to legalize abortion across the world. The legal grounds and intricacies involved in the concept of decriminalization have been thoroughly highlighted which call for abrogating the restrictions on abortion and conferring women with the fundamental right to privacy and autonomy. The death rate among women in abortion procedures is far less than that observed in giving birth to a child. In addition, abortion is not only confined to the framework of sanctioning rights and making the women rejuvenate equality and spirits of making a decision related to birth. Instead, it manifests in widespread benefits for society. The reduction in population, birth complications, poverty, physical and mental health issues and certain moral aspects also substantiate the need for legalizing abortion. In the contemporary world of globalization, preventing women from granting the right to receive abortion is a fundamental violation of human rights and desecration of women's right to privacy and autonomy also substantiate the need of legalizing abortion. Thus, the discussion asserts influence on the need for legalizing abortion throughout the world and dispensing women their fundamental rights which have been snatched by imposing radical restrictions on the practice of abortion.

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