

ABORTION AND PERSONHOOD

The philosophical debate about abortion boils down to the question When does a fetus become a person, hence a being with a right to life, ergo one that it would be criminal to kill? Most Christian theologians profess to have a ready answer to this question. For example, a Thomist believes that the fetus becomes a person the moment it receives a soul from the Holy Spirit. However, he may add that, since man has no way of knowing the precise instant that this divine intervention occurs, we are well advised to treat all fetuses equally, regardless of the time of conception.

A modern philosopher is unlikely to accept the theological dogma that the soul is infused into the fetus by the deity. If scientifically oriented,

the philosopher will hold that minds or souls do not come ready made but develop along with the nervous system and with experience. However, given the paucity of data concerning infant mentality, the philosopher may not wish to risk an opinion concerning the stage of development at which the mind may emerge.

In practice the problem is not solved by theologians or by philosophers but rather by obstetricians or by lawyers. If reasonable, the lawyer and, in particular, the judge, will defer to medicine. Now, reasonable medical men do not ask whether a given fetus is a person (or has a mind), but rather whether it has a chance of becoming a normal person with the help of medicine. And they may add that the bare minimum for this to happen is five months, although seven is the safe lower bound. In any case, the uncertainty concerning these two months (between five and seven) is of no practical importance in the case of abortion, because, save in exceptional cases, the upper bound for abortion is five months.

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