

A THEOLOGICAL PERSPECTIVE ON ABORTION

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1. INTRODUCTION

The ongoing debate on abortion, the world over, cannot be brought to any finality.² Reader's Digest Oxford Complete Wordfinder defines abortion as "the expulsion of a foetus (naturally or esp. by medical induction) from the womb before it is able to survive independently, esp. in the first 28 weeks of a human pregnancy".

According to Strauss (1991:207),

In terms of this definition it would seem that even where a foetus is still alive after expulsion, but is medically a foetus, and is then killed, the act amounts to abortion, which would be lawful if the requirements of the Act are complied with. Conversely, in the case of an abortion not falling under the Act, the deed would in this case constitute criminal abortion and not infanticide (murder). If, however, the expulsion of an unborn child amounts to live birth (according to the respiration test), and the child is then killed, this would seem to constitute infanticide (murder) or at least culpable homicide.

Theology and the Church in South Africa should come up clearly with a position or even positions that would help the general public and Christians in particular. The abortion issue is not only for experts such as physicians, philosophers and ethicists. It might be difficult to speak in one voice as Christians, and yet it should be possible for us to find a common ground and common points of departure to make our presence felt in the discussion of the issue.

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2. BIBLICAL GUIDANCE

In spite of the fact that the ancient near East practised abortion as a form of family planning and population regulating, there is no single text in the Old Testament that clearly addresses abortion. However, what we find condemned is child sacrifice which was commonly practised as a counterpart to abortion in Canaan between the 14th and 13th centuries BCE (Hoffmeier, 1987:49-53). Such texts abound (Lev 18:21; Lev 20:2; Deut 12:31, 18:9-10). The prophets also spoke against infanticide (Jer 7:30-34; Ezek 16:21, 36; 20:31, 36-39). One of Manasseh's sins included sacrificing his son to idols (2 Kings 21:2-6; 2 Chronicles 33:2-9). Heavy penalties are prescribed for a person who hurts a pregnant woman and causes her to miscarry (Ex 21:22-25). This proves that foetal life did have some significance in Israel, though the life of the woman was regarded as having greater value because if a pregnant woman was killed during an assault, eye-for-an-eye was applied. The psalmist traces David's life to the womb and indicates that God already had a purpose for David whilst still a foetus (139:13-17). The same could be said of Isaiah (49:5) and Jeremiah (1:4-5) regarding their respective callings as prophets. These references, however, do not say much about abortion other than to caution us that a foetus has a potential to become a contributing member of the human race.

Similarly, the New Testament is not very helpful in this regard. The most cited passages against abortion are Luke 1:31-33 and Luke 1:41-44. Just like the Old Testament references cited above, these texts point merely to the significance and importance of the foetal Christ and the foetal John the Baptist respectively. Pauline ethics as well as the ethics of the Pastoral Epistles say nothing directly on abortion.

3. THE EARLY CHURCH

According to Gordon (Hoffmeier, 1987:74), the Graeco-Roman world condemned abortion as evil. He indicates that the Hippocratic oath of the 5th century prohibited doctors to help women procure abortions, something that was clearly contrary to the views of philosophers such as Aristotle and Plato. These philosophers

approved of abortion as a method for population control. According to Gordon, Soranos, a Graeco-Roman gynaecologist permitted abortion only in a situation where the mother's life would be in danger. Gordon further points out that the first century Jewish scholars such as Philo and Josephus considered abortion as murder and regarded the death penalty as an appropriate punishment.

Early Church traditions show that Christians had great concern for the preservation of life including that of the foetus (Cook, 1983:127). Gorman (Stallsworth, 1993:32-33) puts it much stronger when he says that the early Christians were vehemently opposed to abortion. In addition to the examples of Philo and Josephus, Gorman refers us to the *Didaché*, *The Instruction of the Twelve Apostles*, the *Epistle of Barnabas* and the *Apocalypse of Peter*. Unborn and newborn children were regarded as neighbours and there was no way abortion and infanticide could be acts of love and compassion. Gorman indicates further that early Christian leaders such as Athenagoras, Clement of Alexandria and Tertullian regarded the foetus as object of God's care. For the early Christians, abortion was a violation of the Commandment against murder. It was also regarded as a manifestation of the social injustice and brute power over the defenceless. Jesus Christ vehemently opposed this kind of domination in his ethics of the Kingdom of God.

4. THE ECUMENICAL VIEW

Cook (1983:128) aptly summarises the general position of Christians today when he says:

The Church as a whole is of one mind in its concern for the abuse of abortion and the need to protect the innocent lives of the foetuses. Nevertheless, there is a division among Christians about whether or not abortion is ever permissible.

Cook goes further to indicate that the Roman Catholic Church believes that life, including that of the foetus, should be preserved and protected at all costs because life is sacred. There is one exception though, namely, that abortion is permitted and tolerable only when it is a life-saving and therefore also life-serving according to Dot (Villa-Vicencio & De Gruchy, 1994:167) and Coughlan (1990:23).

For the Catholic Church the embryo is a person and should be treated as such, from the moment of conception. The Church believes that since philosophically and medically one cannot determine as to when life begins, and theologically how God views the foetus, one should give the foetus the benefit of the doubt (Berry, 1987:86).

Protestants in general are also guided by the belief in the sanctity of life on deciding about the issue of abortion. Like the Catholics, abortion cannot be procured on demand. It is maintained that our decisions as humans should be guided by the principle or doctrine of the lesser of the two evils. Was the pregnancy the result of rape or incest? What would be the psychological effects of an unwanted pregnancy on the mother if the pregnancy is not terminated? What would be the point of letting an extremely deformed foetus be born if clearly the baby would never lead a normal life? (Cook, 1987:128-129).

5. A THEOLOGICAL PERSPECTIVE

5.1 *An Orientation*

5.1.1

The fact that there is no direct Biblical witness on abortion does not necessarily mean that we as Christians cannot arrive theologically at an informed position on abortion. Through its narratives, themes, arguments, claims and convictions the Bible bears witness to the kind of ethical perspectives on moral life we can glean from it.

5.1.2

The early Church did address abortion directly and therefore the early Christian traditions should also be able to guide the Church today in tackling abortion albeit in the changed circumstances of our modern era.

5.1.3

The debates of the recent past, both in Roman Catholic and Protestant circles, have highlighted and clarified so many

problematic areas that it should be relatively easy for us today to adopt a general ecumenical consensus on abortion. Concepts such as God's image in human beings, the quality of life, the language of rights, humanity's domination of nature, compassion, feminism and abortion have been taken up anew in a refreshingly new spirit.

5.1.4

Understanding human beings as psychosomatic beings has helped in treating the issue of abortion in a more holistic manner, taking into consideration psychological, medical, philosophical and sociopolitical aspects. When does life begin? When does "ensoulment" occur? What is personhood? When does a foetus become a person? Some ground has definitely been covered in these areas and this may help one in honing a theological perspective for oneself.

5.1.5

Of the utmost importance would be the Church's ministry of counselling to the guilt-ridden women after procuring abortion. What kind of teaching should go into the overall pastoral ministry to equip counsellors and to counsel those distressed by abortions they had procured? Should we not look again into the spirituality of sex and sexuality education?

5.2 The South African Legal System

5.2.1 The Abortion and Sterilization Act No 2 of 1975

The Act allowed abortion under the following circumstances:

(1)

Abortion may be procured by a medical practitioner only, and only -

(a) where the continued pregnancy endangers the life of the woman concerned or constitutes a serious threat to her physical health, and two other medical practitioners have certified in writing that, in their opinion, the continued pregnancy so

endangers the life of the woman concerned or so constitutes a serious threat to her physical health and abortion is necessary to ensure the life or physical health of the woman;

(b) where the continued pregnancy constitutes a serious threat to the mental health of the woman concerned, and two other medical practitioners have certified in writing that, in their opinion, the continued pregnancy creates the danger of permanent damage to the woman's mental health and abortion is necessary to ensure the mental health of the woman;

(c) where there exists a serious risk that the child to be born will suffer from a physical or mental defect of such a nature that he will be irreparably seriously handicapped, and two other medical practitioners have certified in writing that, in their opinion, there exist, on scientific grounds, such a risk; or

(d) where the foetus is alleged to have been conceived in consequence of unlawful carnal intercourse, and two other medical practitioners have certified in writing after such interrogation of the woman concerned as they or any of them may have considered necessary, that in their opinion the pregnancy is due to the alleged unlawful carnal intercourse; or
[Para. (d) substituted by s. 2 (b) of Act No. 48 of 1982.]

(e) where the foetus has been conceived in consequence of illegitimate carnal intercourse, and two other medical practitioners have certified in writing that the woman concerned is due to a permanent mental handicap of defect unable to comprehend the consequential implications of or bear the parental responsibility for the fruit of coitus.

[Para. (e) added by s. 2 (c) of Act No. 48 of 1982.]

Stricter provisions are mentioned in subsection 2:

(2)

(a) A medical practitioner who has issued a certificate referred to in subsection (1) shall in no way participate in or assist with the abortion in question, and such a certificate, or such certificates issued for the same purpose, shall not be valid if

issued by members of the same partnership or by persons in the employ of the same employer.

(b) The provisions of paragraph (a) shall not apply to the performance by any person of his functions in the service of the State.

(3)

At least one of the two medical practitioners referred to in subsection

(1)-

(a) shall have practised as a medical practitioner for four years or more since the date of his registration as a medical practitioner in terms of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act No. 56 of 1974);

(b) shall be a psychiatrist employed by the State, if the abortion is to be procured by virtue of the provisions of subsection (1) (b);

(c) shall be the district surgeon who examined the woman concerned if a complaint regarding the alleged unlawful carnal intercourse has been lodged with the Police, and the foetus is alleged to have been conceived in consequence of such unlawful carnal intercourse.

[Para. (c) substituted by s. 2 (d) of Act No. 48 of 1982.]

The pro-choice group (those in favour of abortion) said that the legislation was too restrictive because women have been placed at the mercy of medical practitioners and the courts whilst the pro-life group (those against abortion) vehemently oppose it as too lax because there exists in the legislation many loopholes that could make abortion easily obtainable. The underpinning philosophy for the pro-choice group is that women should have the last word on deciding whether to abort or not. It is their bodies and they alone have responsibility for their bodies.

5.2.2 The Choice on Termination of Pregnancy Act No 92 of 1996
Circumstances under which abortion may be procured in South Africa under the old Act are acceptable to most countries in the world. However, other countries include more considerations such as

a failed contraception, excessive poverty, and too young or too old to raise the child (Berry, 1987:103-105; Dot, 1994:168; Brown, 1993:67). Cook (1983:8) lists twenty-three factors that should be considered when an abortion is contemplated.

In response to the challenges posed from the feminist perspective on the debate, the eagerness to fall in line with other countries who are pro-choice and the spirit of the new Constitution especially the Bill of Rights, the South African Parliament passed the above-mentioned Act namely, Choice on Termination of Pregnancy of 1996. The Act is also aimed at making abortion safe and accessible to all women, the majority of whom are the poorest of the poor.

Firstly, in terms of the New Act, 1(xi) "women' means any female person of any age". This means that a girl of nine years, for example can procure abortion on demand subject to the maximum period laid down by the law.

5(3) under "consent" says

In the case of a pregnant minor, a medical practitioner or a registered midwife, as the case may be, shall advise such minor to consult with her parents, guardian, family members or friends before the pregnancy is terminated: Provided that the termination of the pregnancy shall not be denied because such minor chooses not to consult them. (emphases mine)

Secondly, the feminist interpretation of the Act is that a married woman may terminate a pregnancy without the husband's consent.

Thirdly, 2(b)iv gives as one of the conditions in which "the continued pregnancy would significantly affect the social or economic circumstances of the woman"; social factors and economic reasons may be considered strong and sufficient enough to terminate a pregnancy.

5.3 *Fundamental Issues*

5.3.1 The Status of the Foetus

The argument as to the humanness of the foetus has been taken up at various levels such as philosophical, medical, psychological, and rheological. The time of "ensoulment" is at conception. The image of

God is already present in the foetus at the moment of conception. Personhood is potentially present at conception. Human life begins when the egg and sperm are fused so as to form a zygote. In fact, from the moment of conception, the embryo contains all the crucial forty-six chromosomes.

From the theological point of view, creation of humans is an evolutionary process since it starts at conception and progresses through various stages through birth until death. God's activity in conception is unmistakably noticeable as one has already shown. Lake (1987:90) aptly states the argument:

While I maintain that the image of God is present in the fetus, it is not something static ... It develops through one's life. The image of God refers to the total human being, shape and form as well as his role in creation ...

Linked to the understanding of the foetus as God's image, is the understanding that each foetus seems to be destined for a specific role within the reign of God as we have already seen. Whatever reasons one advances in favour of abortion, one should keep these facts in mind. God committed Godself to humanity and to this end the Godhead became human, and laid down Godhead's life for the human race.

5.3.2 The Language of Rights

Hauerwas (1986:125) believes that the language of rights should be replaced by the language of duties. In his view (1986:128),

"Rights are necessary when it is assumed that citizens fundamentally relate to one another as strangers, if not outright enemies".

Gorman (Stallsworth, 1993:50) goes so far as to assert that the language of inalienable rights is not Christian. He maintains that rights, which can never be inalienable, make a certain sense when they are correlative to duties and goods. What Hauerwas and Gorman are saying is that rights and duties, freedom and responsibility, privileges and obligations are the sides of the same coin and Christians should be prepared to forego their rights for higher goals or nobler purposes.

What one was trying to prove above was that the foetus is not merely a tumour growing in the womb. It is a potential life and it must be assisted to develop fully wherever possible. While rabbis classified children along with the deaf, mute, and the mentally retarded, and the Romans made children the property of their fathers according to Gorman (Stallsworth, 1993: 29), Jesus elevated their status (Mk 9:37) and he indeed offered them preferential treatment (Mk 10:13-16). The weak and the handicapped, especially the defenceless foetuses, need to be protected against the powerful, selfish, and the callous people. The foetus is already our neighbour, the mother being the closest and immediate neighbour. A perennial conflict has been the right of a foetus to live and the right of the mother to determine her own fate. Modern discussions have since included the rights of other stakeholders such as the father, siblings, the religious community (church), society, and the medical as well as the nursing staff (Cook, 1983:87). Moreover, the Christian woman does not own her body for it belongs to God. It has been redeemed from seeking its own rights at the expense of her neighbours' rights. Doing what people please with their bodies can be a form of slavery, chained by selfishness, callousness, greed and so on (1 Cor 6:15-7:5).

In deciding in favour of abortion in this context, one overriding concern should be the physical (and not necessarily mental) health of the mother and/or the extreme deformity of the foetus. One would appeal to feminists to uncouple their quest for women's liberation from the rightness and wrongness of abortion. One sees no way abortion-on-demand can facilitate or enhance women's liberation.

5.3.3 The Quality of Life

God, according to Genesis, created human life to be lived out in full and in richness. The Reign of God ushered in by Jesus of Nazareth is characterised by the absence of disease, hunger, death and other discomforts. We as human beings have been created for good life and in its abundance.

Unfortunately, in the name of the quality of life, the pro-choice group agitate for abortion-on-demand. Even the notion of compassion is brought into the picture in order to enhance the ferocity of their demand. A pregnancy may be terminated simply

because a (married) couple is psychologically or financially not ready for a child or another one. Abortion is therefore used as a method of family planning and population control. They are at pains to point out that it would be better to abort a foetus, on compassionate grounds, than to let a child be born, who would die anyway, before s/he is eight years of age due to poverty, neglect and disease. The abuse of abortion in this self-serving manner is as repugnant and innocuous as it is inhuman and monstrous.

5.4 *A Matter for Christian Counselling*

Although the new Act makes provision for counselling, section 4, "The State shall promote the provision of non-mandatory and non-directive counselling, before and after the termination of a pregnancy", Christian Counselling as an alternative practice can only be administered by Christians with the help of the Holy Spirit.

5.4.1 Community of Saints

The Church is an alternative community whose members belong intimately to one another. Individual rights make sense only in relation to communal rights. Individuals apart from the community are not Biblical and vice-versa (1 Cor 12; Eph 4). Through baptism candidates as individuals are welcomed into the Christian community and by the same token, every adult Christian has a parental responsibility. Berry (1987:109), a Christian medical geneticist, emphasises the need for Christian mutual support when she says:

All abortions are undesirable, no woman would choose to have one ... Christians have an important role in taking steps to improve the world in which we live, or at least parts of it, creating viable alternatives, so that the woman considering abortion knows that she will not be ground down by the problems she faces if she continues the pregnancy and that a lifetime of support will be available.

5.4.2 The Ministry of Hospitality

Willimon (Stallworth, 1993:20) is forthright when he says, "Abortion is a no-confidence vote in ourselves and our ability to welcome children". Those who procure abortions because they are

compassionate towards the unborn children should keep this in mind. Brown (Stallsworth, 1993:67) rightly points out that today there are many adoption agencies, foster homes, orphanages, etc. which can become homes to children unwanted and unloved by their parents; family embarrassment or poverty can no longer be cited as grounds to justify abortion. Victims of rape and incest could be successfully counselled to bring their babies to term and to decide after birth whether to keep them or to give them up for adoption, etc. We should also be hospitable to children with extreme deformities. Parents of such children could be assisted to take care of their children (Mt 25:40-45). Asked whether it was God's punishment that a certain man had been born blind, Jesus replied that God did it deliberately so as to make his works of glory manifest on earth through the blind person (John 9:1-3). Hospitality, care, concern and charity could be such manifestations required of us as Christians.

5.4.3 Repentance and Forgiveness

Since the loss of innocence through the fall, humans have never been the true image of God as God intended. Sin makes us do the very things we do not want to do and those things that hurt us. No woman would want abortion, yet abortions are commonplace. Many women, especially Christians, who have had abortions feel lonely, alienated and guilty. They suffer alone because the world told them that abortion was a private and personal matter. Abortion, according to the Christian conscience, is a public matter, as stated above. It affects indirectly the human race and directly the communion of saints. These women need hospitality, compassion and love, and not condemnation and ridicule. The Law cannot have the last word. The Gospel must. It is for the wretched and sinners that God suffered and died on the Cross. The repentant sinners are assured of forgiveness (1 John 1:9). The Holy Spirit as our paraclyte enables us to start anew by sanctifying us and making us stronger and stronger in faith. Through this process sinners are not only accepted back into the

fellowship of believers, but also, into the fellowship of the Triune God.

5.4.4 Christian Education

Education should be regarded as central to the whole process of the counselling ministry of the Church. We should not solely entrust secular institutions and agencies with the education of our children and young adults. Sexuality and sex education should, for example, form part of the confirmation class syllabus. The curriculum itself must be designed in such a way that sexuality education permeates everything that is taught and practised. While on the one hand Christians should be taught about contraception, family planning etc. on the other, Christian virtues such as marriage fidelity and virginity should be inculcated, and encouraged.

6. CONCLUSION

The new Act on abortion has been passed by the highest decision making body, namely the South African Parliament. The Church and individual Christians have to relate to it, whether groups or individuals are pro-choice or pro-life. The onus rests on all of us to educate ourselves, especially the youth, on the issues involved in the Act and consequences for our Christian faith and religious life.

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