

Is A Fetus A Person? The reason for Legal Abortion.

In order for a fetus to be murdered, it must be declared that it is a person under the United States Constitution. If the fetus had been found from the legal view to be a person, then Roe v Wade would have never been the law of the land due to the fact that the fetus would have constitutional rights. Let's go beyond the judicial reasons for the fetus not being a person and look into the religious aspect. There are many people that say that abortion is murder and that the Bible condemns abortion. They quote passages just like thou shall not kill and interpret it literally instead of really going into the depths of what is meant by that statement. God allowed the Jews to go to war and kill the Philistines. There are many wars in the bible where God ordered his people to go and kill the enemy. There were even children and other human beings sacrificed for religious reasons all in the name of God which was pleasing to him. These examples all have to deal with human beings that have been born, alive and have constitutional rights if born in the United States, or overseas if a parent is a US Citizen.

What does the Bible say specifically about abortion? In the Old Testament there is nothing that is stated on the issue of abortion. Perhaps in the New Testament something was stated? There is not even one sentence regarding abortion there either. In essence, the Bible does not deal with the subject at all. Some people have said that abortion was not an issue during the time that the bible was written. We know that abortions have taken place for thousands of years. Abortion instruments have been found dating back to BC as well as the 12th century BC the Assyrians had a law concerning a woman's self induced abortion. (1) By the time of the New Testament, inducing abortion was widely practiced by the Greeks and Romans as described by their medical writers (2)

There is no doubt that the fetus is human life and has the ability to become a person. Scholars have always agreed that the description of human being in the Bible is the term nephesh. This word occurs 754 times in the Jewish Testament. It literally means the "complete life of a being" though it is usually used in the sense of "living being" or breathing creature. The nephesh is the term for the living being, the "person," and if nephesh is basically understood as a creature that breathes, then a fetus is not a nephesh. The fetus is not a living person.

The passage in the Bible that implies that the fetus does not have the same status as the mother in ancient Hebrew law is the law that refers to a woman miscarrying. When men were fighting and they caused a pregnant woman to miscarry, the penalty was a fine. If the mother was harmed, it was "life for life" (Exod.21:22, 23)

In conclusion, the commandment "Thou shalt not kill" is not an unqualified order to not kill biological life. There is no evidence in the Bible that providing abortion procedures is not murder. If a woman miscarried, the individual was fined, but if the mother was killed, the individual was declared a murderer and his own life was surrendered.

Let's allow women to be able to have a legal abortion. Remember that women who are carrying a unwanted pregnancy will choose to abort greater than fifty percent of the time. The number of abortions does not change whether abortion is illegal or legal. Maternal deaths drastically increase when abortion is illegal.

James S. Pendergraft IV, M.D.

www.womenscenter.com

- 1) *“The Middle Assyrian Laws,” no. 53 trans. By T.J. Meek, in J. B. Pritchard, ed., The Ancient Near Eastern Texts (Princeton: Princeton University Press, 1955).*
- 2) *See, among others, Soranus, Gynecology, trans, by O. Temkin(Baltimore: Johns Hopkins University Press, (1956). A good summary of methods is supplied by M.J. Gorman, Abortion and the Early Church (Downers Grove, Ill: InterVarsity Press, 1982), pp. 15-18.*