### **CHAPTER ONE**

## A HISTORICAL BACKGROUND OF ABORTION

### 1.1 INTRODUCTION

While the attitudes towards abortion widely varied in the ancient world, the historical evidences strongly suggest that abortion and infanticide were common practices and that abortion is not a modern phenomenon. The surviving texts from the ancient Greco-Roman world reveal that ancient people were acquainted with abortion It was discussed by doctors, philosophers, lawyers, historians and even by poets. The issue is one of those classic problems that has been discussed in all the major 'fertile period' of practical philosophy in the western world, from the flourishing of Greek thought, through the medieval period, in the Renaissance and from the beginning of modern applied ethics in 1960's. Some found the practice to be evil and contrary to nature. Thus abortion has been in existence since the ancient times and practised by women all over the world.

Now, although the question of abortion varied in different cultures, there was a common pattern. For ancient cultures there were logical and non-moral explanations for this trend. In ancient times there were no pregnancy tests and no tools to perform early abortions. For that reason, during that time, in order to perform abortion the baby was delivered prematurely, but alive, and the abortion process was completed by infanticide of the born child. Later on, pregnancies were terminated through a number of methods, including the administration of abortifacient herbs, the use of sharpened implements, the application of abdominal pressure and other techniques. In the following sections we shall consider the ancient records of the frequency and method of abortion, as well as the questions about ethics of abortion.

# 1.2 PRACTICE AND METHODS OF ABORTION — A HISTORICAL SURVEY.

Evidences show that induced abortion was certainly practised in the ancient societies. The oldest known recipe for abortifacients comes from an ancient Egyptian 'Ebers papyrus' dating back 1550 BCE, which lists substances that terminate pregnancy in the first. second and third trimesters. Egyptian 'Ebers' papyrus' is the first recorded evidence of induced abortion. A Chinese record documents the number of royal concubines who had abortions in China between the years 515 and 500 BCE. According to Chinese folklore, the legendery Emperor Shenong prescribed the use of mercury to induce abortions nearly 5000 years ago. Centuries ago Chinese women drank lead and mercury to control fertility, although this often resulted in sterility or even death. Many of the methods employed in early and primitive cultures were non-surgical. Physical activities like strenuous labour, climbing, paddling, weight lifting, or driving were a common technique. Others included the use of irritant leaves, fasting, blood letting, pouring hot water onto the abdomen, and lying on a hard coconut shell. In primitive cultures, techniques developed through observation, adaptation of obstetrical methods, transculturation. Archaeological discoveries indicated early surgical attempts at the extraction of a fetus. However, such methods are not believed to have been common.

#### 1.2 (i) REFERENCES IN CLASSICAL LITERATURE

Much of what is known about the methods and practice of abortion in Greek and Roman history comes from the early classical texts which show that abortion was common in both ancient Greece and Rome, although not nearly as widespread as infanticide. The timing of animation or ensoulment was of great interest to Greek philosophers.

### A) ABORTION IN ANCIENT GREECE

Hippocrates, the Greek physician, (460 - 357 B.C.) referred to abortion in his Oath. The Oath is part of the Hippocratic Corpus or the collective work of Hippocrates. Hippocrates spoke against abortion because he feared injury to the woman. The Oath forbids the use of pessaries (vaginal suppositories) to induce abortion. This specific prohibition has been interpreted by some medical scholars as prohibition against abortion in a broader sense than by pessary.<sup>1</sup> Others again believed that Hippocrates sought to discourage physicians from trying dangerous methods to abort a fetus.<sup>2</sup>

To quote Hippocrates "I will give no deadly medicine to any one if asked, nor suggest any such counsel; and in like manner, I will not give to a woman a pessary to produce abortion". The Oath gives evidence that the medical profession found abortion procedures to be wrong. However little concern was shown to the fetus.<sup>3</sup>

•• During the earliest parts of history we find the whole range of views concerning the ethical analysis of abortion from the most respective to the most permissive. Plato (427 - 345 B.C.) in his Theatetus  $(149^d)$ , mentioned a midwife's

ability to induce abortion in the early stages of pregnancy. He, however, advocated abortion (and even infanticide) for those who had passed the age of lawful procreation. In Book V of his *Republic*, while discussing about women and child bearing, we find Socrates recommending a kind of eugenics where certain fetuses should not be allowed to be born or should be killed after birth.

Talking about the principle of best union, Plato concluded — "And we grant all this, accompanying the permission with strict orders to prevent any embryo which may come into being from seeing the light; and if any force a way to birth, the parents must understand that the offspring of a union cannot be maintained, and arrange accordingly".

••• In Aristotle's (354 – 322 B.C.) view, abortion if performed early, is not the killing of something human. Aristotle permitted abortion, if the birth rate is too high, but only at a stage before life and sense had begun in the embryo. Aristotle assumed that the fetus had a succession of souls: vegetable, animal and rational and that animation occurred in the male fetus forty days after conception and in the female fetus after eighty days. Aristotle appeared to have arrived at this idea by seeing the relative development of male and female fetuses that were miscarried.

Aristotle further suggested that laws should be made promoting abortion and the exposure of newborn children to limit children with deformities and to prevent overpopulation; yet, he also drew a line between lawful and unlawful abortions. He argued, 'the line between lawful and unlawful abortion will be marked by the fact of having sensation and being alive".<sup>4</sup>

#### **B) ABORTION IN ANCIENT ROME**

• Soranus (A.D 98 – 117), a second century Greek physician, recommended abortion in cases involving health complications as well as emotional immaturity, and provided detailed suggestions in his work 'Gynaecology' as to adopt safe abortion methods.

• Again in his *The Natural History*, Pliny, the Elder (A.D. 23 - 79) discussed the causes and preventives of abortion, the morality of abortion, as well as the use of various contraceptives.<sup>5</sup>

••• Galen (A.D. 129 – 200), the second century physician, like Hippocrates, was against abortion. In his *On Natural Faculties*, Book III, Part 12 he mentioned some abortifacient drugs and other conditions which destroy the embryo which is followed by abortion.

•••• Cicero (106 – 43 B.C.), was against abortion and considered abortion as murder – to be rightly punishable by law.

#### 1.2 (ii) ABORTIFACIENTS USED IN ANCIENT TIMES.

#### [A] HERBS

The ancient and classical texts mentioned in the previous section show that the ancient Greeks advocated abortion as a method of birth control. Greek and Roman civilizations considered abortion as an integral part of maintaining a state population. Roman morality placed no social stigma on abortion. Early Roman law proclaimed that "a child in the belly of its mother" is not a person. Thus abortion and even infanticide were permitted and practised. During the ancient time abortion induced by herbs or manipulation was a form of birth control. The ancient Greeks relied upon silphium (a plant) as an abortifacient and contraceptive. Silphium was so central to the Cyrenian economy that most of its coins were embossed with an image of the plant. However such folk remedies, were not without risk and they varied in effectiveness. "Tansy" and "Penny royal" for example, the two poisonous herbs used in the ancient times to terminate pregnancies, had serious side effects.

During the first century a variety of juniper (a coniferous plant) known as 'Savin' was used for the purpose of abortion. This plant was also used in old France and Germany and was mentioned frequently in European writings.

Other substances reputed to have been used by the English include Spanish fly, opium, watercress seed, iron sulphate and iron chloride. Another mixture, not abortifacient, but rather intended to relieve missed abortion, contained dittany, hyssop and hot water. There is also mention of abortifacient tea in German folk medicine. Other preparations of unspecified origin included crushed ants, the saliva of camels and the tail hair of black-tailed deer dissolved in the fats of beer.<sup>5</sup> The Greeks and Romans also had various poisons administered in various ways including tampons. Soranus (as mentioned in the previous section) offered a number of recipies. In De Materia Medica Libri Quinque, the Greek pharmacologist Dioscorides listed the ingredients of a draught called "abortion wine"—hellebore.

Again, the refined oil of common rue is mentioned as a potent abortifacient. Infact modern scientific studies have confirmed that rue indeed contains three abortive compounds.<sup>7</sup>

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Bithwort, a herb used to ease child birth, was also used to induce abortion. This could be administered by mouth or in the form of a vaginal pessary also containing pepper and myrrh.

All these evidences show that verbal procedures were very much in use as abortifacient in ancient cultures.<sup>8</sup>

#### [B] INSTRUMENTS/OTHER METHODS

Evidences suggest that historically pregnancies were terminated not only by abortifacient herbs, but also with the help of instruments. According to the anthropologist George Deverus, induced abortion occurred from ancient times with abortifacient herbs as well as with sharpened sticks, poisonous herbs, abdominal pressure, special exercises and other techniques. From primitive potions to barbaric tools and odd instruments, women resorted to painful, humiliating procedures like inducing poison directly into the uterus, or piercing the uterus with long needles, hooks or knives, in order to induce abortion. Needless to mention, these methods often led to the death of the woman, as well as of the fetus. The ancient Greeks also relied upon instruments like "Pompeii" and "Herculaneum" —which were much like the modern surgical instruments.

An 8<sup>th</sup> century Sanskrit text instructs women wishing to induce an abortion to sit over a pot of steam or stewed onions.<sup>9</sup>

The techniques of massage abortion, involving the application of pressure to the pregnant abdomen, has been practised in South East Asia for centuries.

Physical means of inducing abortion, such as battery, exercise and tightening the girdle were reported among English women during the early modern period. There were also cases of miscarriages caused by lead poisoning, where women used diachylon — as an abortifacient.<sup>10</sup> Again, the use of candles and other objects, such as glass rods penholders, curling irons, spoons, sticks, knives and catheters were the instruments used for this purpose, during nineteenth century in the United States.<sup>11</sup>

Further, in 1955, the anthropologist Deverux demonstrated that, in primitive tribal societies, too, abortion were induced by using poisonous herbs, sharp sticks or by sheer pressure on the abdomen until vaginal bleeding occurred.

Let us now turn to the contemporary methods used for inducing abortion.

#### 1.2(iii) CONTEMPORARY METHODS

Although prototypes of the modern curettage are referred to in ancient texts, the instruments which are used today were initially designed in France in 1723, but were not applied specifically for any gynaecological purpose until 1842.<sup>12</sup>

The 20<sup>th</sup> century saw improvements in abortion technology, increasing its safety, and reducing its side effects. Vacuum devices, first described in medical literature in the 19<sup>th</sup> century, allowed for the development of suction aspiration abortion.<sup>13</sup>

During the mid 1990's in the United States the medical community showed renewed interest in manual vacuum aspiration as a method of early surgical abortion. This resurgence is due to technological advances that permit early pregnancy detection, and a growing popular demand for safe, effective, early abortion options, both surgical and medical. Infact dilation and extraction were developed by Dr. James McMohan in 1983. This resembles a procedure used in the 19<sup>th</sup> century to save a woman's life in cases of obstructed labour, in which the fetal skull was punctured and then crushed with forceps like instrument known as cranioclast.

In 1980, researchers at Roussel Uclaf in France developed mifepristone, a chemical compound which works as an abortifacient by blocking hormone action.

Thus all these show that, if we trace the history of abortion we will find that along with the different procedures developed to induce abortion, there was also an ethical or moral debate regarding the status of the fetus. It was for this reason that later on, but not until seventeenth century, abortion became a crime and a sin, and this ultimately developed in a legal controversy.

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- 3. Another text by Hippocrates (or possibly someone using his name as pseudonym) from "On the Generating Seed and the Nature of the Child" evidences that at times abortion could be prompted: It was in the following way that I came to see a six-day-old embryo. A kinswoman of mine owned a very valuable danseuse, whom she employed as a prostitute. It was important that this girl should not become pregnant and, therefore, lose her value. Now this girl had heard the sort of thing women say to each other that when a woman is going to conceive, the seed remains inside her and does not fall out. She digested this information, and kept a watch. One day she noticed that the seed had not come out again. She told her mistress and the story came to me. When I heard it, I told her to jump up and down, touching her buttocks with her heels at each leap. After she had done this more than seven times, there was a noise the seed fell out on the ground, and the girl looked at in great surprise .... It was round, and red, and within the membrane could be seen thick white fibres, surrounded by a thick red serum; while on the outer surface of the membrane were clots of blood.
- 4. "As to exposing or rearing the children born, let there be a law that no deformed child shall be reared; but on the ground of number of children, the regular customs hinder any of those born being exposed, there must be a limit fixed to the procreation of offspring....". Aristotle's *Politics*, Book VII, Section 1335b, written around 350 B.C.

- 5. Book VII, Chapter IV, Book XXXI, Chapter VII.
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