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The Two Arguments for Pro-Abortion: The Right to Self-Ownership or Self-Determination?

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Abstract: This study aims to argue the validity of the feminist pro-abortion arguments for women who are exposed to different forms of domination in various regions of the world and to defend the ideal of non-domination rather than the liberal understanding of autonomy and non-interference. This study advocates for the right to self-determination and emphasizes the creation of a new language for asserting reproductive rights. The two pro-abortion approaches, i.e., the right to self-ownership and the right to self-determination, are compared along with three different cases (the USA, Türkiye, and Vietnam) that feminists should consider while articulating their arguments. The liberal autonomy argument targets the intervention of the state, society, family, and patriarchal culture, but it should be noted that not every intervention involves domination. Therefore, for the emancipation of women, non-domination should be pursued instead of non-intervention.

Keywords: abortion rights, reproductive rights, bodily autonomy, free choice, the right to self-determination, non-domination

Introduction

The voluntary termination of pregnancy is still one of the controversial issues in moral, political, and legal contexts, even in the 21st century. The evacuation of pregnancy was legally prohibited with severe penalties in 18th and the 19th centuries in Europe. With the rise of feminism and women's movements in the 20th century, it has become legal in some countries. Whether it is legalized or not, even in the countries where the women's movement is strong today, the moral statute of abortion is continuously debated. The concept of abortion, the intentional ending of a pregnancy, is burdened with neutral or pejorative meanings depending on the side advocated. For example, the opponents of abortion generally employ strong language, such as "termination of the fetus's right to life" or even "murder", instead of the concept of "evacuation of the fetus." The opponents generally argue that the fetus is a person and that any decision of the parents or physicians cannot terminate the fetus's right to life. Thus, they call themselves "pro-life" and define abortion as "the crime of murder."¹ The proponents of abortion defend the idea that abortion is a "right" for the woman, and only the woman who carries the fetus has the right to choose whether to continue to hold or not. So, the pro-abortion camp is usually defined as "pro-choice," emphasizing personal freedoms and physical immunity. However, these concepts are typically associated with liberal feminism. Justifying a right is closely related to the concepts used to define the right in question. There are also ideological differences among those who defend the right to abortion. This study aims to discuss the importance of these conceptual and ideological differences within the same pro-abortion camp. This paper does not engage with the broader debate on the moral status of the fetus. While this is a crucial dimension of the ethics of abortion, it lies outside the specific argumentative scope of this discussion, which focuses on the structural features and implications of two influential defenses of abortion.

As it is well-known, there are differences among those who defend the right to abortion in their justification of that right. For instance, Judith Jarvis Thomson and Jane English support the pro-choice argument that no woman can be forced to keep an unwanted pregnancy based on the autonomy and

¹ L. S. M. Johnson: "Encyclopedia of Bioethics: Abortion II: Contemporary Ethical and Legal Aspects: A. Ethical Perspectives." *Gale Cengage Learning*, 2004, p. 9.

immunity of women's bodies.² Based on women's rights over their bodies, they defend physical autonomy and the right to self-determination concerning women's reproductive rights. Thomson and English, who are essential representatives of this view, place the inviolability of the person's body at the basis of the argument. According to Thomson, a person owns her body, so the decision to carry a child or not is only up to that pregnant woman.³ From this point of view, she concludes that "to endure or terminate the pregnancy is only the choice of the woman carrying the fetus" if the pregnancy will harm the mother or if it is not the mother's choice to get pregnant.⁴ This view can be summarized as the famous feminist maxim "my body, my choice," which implies a liberal assumption of autonomy and immunity. The advocacy of "bodily autonomy" is a concern of liberal discourse, according to Elizabeth Porter, Sally Markowitz, Susan Sherwin, and partially Allison Jaggar, along with other feminist thinkers on the pro-abortion side. However, they argue that the decision to abort should be taken by the woman carrying the fetus.⁵ These thinkers defend the "right of free choice" as a positive right or, in the same sense, the "right to self-determination" instead of the liberal understanding of autonomy in a negative sense.

The slight difference between these two arguments can be better understood if compared to the noticeable difference between the principles of "the right to self-ownership" and "the right to self-determination" as used in political philosophy. The concepts used by feminist theories here are somehow reflections of moral and political philosophies. While the right to bodily autonomy is directly related to the "right to self-ownership," which Nozick recited the Lockean proviso, the free choice argument can also be associated with the "right to self-determination" that Marxism and republicanism formulated. The right to self-ownership is based on the classical liberal property thesis; accordingly, the body is seen as a property belonging to a person, so all decisions concerning someone's body are at one's discre-

² J. J. Thomson: "A Defense of Abortion." *Philosophy and Public Affairs*, 1 (1971), pp. 47–66. <https://www.jstor.org/stable/2265091>. And also, J. English: "Abortion and the Concept of a Person." *Canadian Journal of Philosophy*, 2 (1975), pp. 233–243. <https://www.jstor.org/stable/40230568>.

³ J. J. Thomson: "A Defense of Abortion," p. 48.

⁴ Ibidem, p. 64.

⁵ E. Porter: "Abortion Ethics: Rights and Responsibilities." *Hypatia*, 9 (1994), pp. 66–87. <https://doi.org/10.1111/j.1527-2001.1994.tb00450.x>. S. Markowitz: "Abortion and Feminism." *Social Theory and Practice*, 16(1), (Spring 1990), pp. 1–17. <https://www.jstor.org/stable/23557071>. S. Sherwin: *No Longer Patient: Feminist Ethics and Health Care*. Temple University Press, Philadelphia 1992. *Living with Contradictions: Controversies in Feminist Social Ethics*. Ed. A. M. Jaggar. Westview Press, Boulder 1994.

tion.⁶ On the other hand, the right to self-determination is a more Marxist approach and does not sanctify a person's property rights over their bodies. It offers a more holistic project of freedom and liberation. The right to self-determination aims to empower women economically and socially before the decision has to be made about the pregnancy. It should be noted that although the "right to choose" put forward by Susan Sherwin is not based on Marxist presuppositions, she argues that the bodily autonomy argument is limited to the liberal approach concerning abortion, which is an inadequate discourse on women's empowerment.⁷

This paper examines the significance of the distinction between these two defenses of abortion by examining their roots in political philosophy. In this way, two politically opposing traditions, i.e., liberalism and Marxism and/or republicanism, are debated in terms of abortion and women's reproductive rights in general. Indeed, both approaches oppose any sort of oppression, limitations, and impositions on women's bodies, decisions, and reproductive rights. However, as the republican critique put it very sophisticatedly, domination and interference should not be confused. As Philip Pettit claims, just as some interventions do not involve domination, so are some forms of domination possible without any sort of intervention.⁸ Thus, it is necessary to distinguish between the interventions on women's bodies and the domination they experience; then, justifications for the right to abortion can be made based on the demand for non-interference or non-domination. This study discusses the difference between non-interference and non-domination regarding women's bodily autonomy and three particular situations that feminist discourse should consider. The USA, Türkiye, and Vietnam, and the conditions of women living in these countries, provide different examples regarding abortion and reproductive rights. In the US, abortion varies depending on the state's regulations. While some states strictly prohibit abortion, some others permit it. In addition to the problem of abortion being banned in many states, women also face the problem of poverty and isolation; they lack social support. So, the liberal thesis on bodily ownership does not help women to make their own choices. In Türkiye, the optional evacuation of pregnancy has been limited to ten weeks, and abortion in public hospitals has become even more bureaucratic and almost impossible. In Vietnam, women are under the pressure of the state and patriarchal traditions; on the one hand, the state controls women's reproductive

⁶ W. Kymlicka: *Contemporary Political Philosophy: An Introduction*. 2nd ed. Oxford University Press, Oxford 2002.

⁷ S. Sherwin: *No Longer Patient...*, p. 315.

⁸ P. Pettit: *Republicanism: A Theory of Freedom and Government*. Oxford University Press, Oxford 1999. <https://doi.org/10.1093/0198296428.001.0001>.

rights and limits them to the maximum of two children. On the other hand, patriarchal traditions compel women to have a son. So, Vietnamese women see gender-based abortion as an option. Based on these three examples, this paper argues that the defense of abortion rights needs to be justified with a discourse of non-domination. Feminist discourse needs to produce arguments by taking into account the different forms of domination that oppress women. Berer says, "If women can obtain their reproductive rights, they will be able to achieve emancipation."⁹ But it is more expedient to claim that to achieve emancipation, women demand their reproductive rights based on non-domination instead of non-intervention.

Bodily Autonomy or Self-Ownership

Abortion and, more generally, women's reproductive rights mean that women should decide whether or not to have children (for themselves). The common feature of women's demands for their reproductive rights, such as the struggle for the legalization of abortion, being informed about contraception, free access to contraceptive methods, and also the use of condoms against sexually transmitted diseases, points to autonomy, more precisely autonomy regarding their bodies and reproduction. Despite some achievements in women's reproductive rights, it is not possible to claim that women are autonomous regarding their bodies, sexual lives, and reproduction.¹⁰

It is worth noting that discussions about abortion often intersect with questions of fetal viability and the gradual development of independence from the pregnant person. These issues complicate any attempt to draw a strict line between pregnancy and postnatal care, as the dependency of the fetus does not abruptly end at birth but rather continues in different forms. While this paper does not directly address these biological or developmental stages, they remain important background considerations in evaluating the broader ethical terrain.

One of the most vital demands of the feminist struggle since the first wave has been bodily autonomy. Throughout history, feminists have de-

⁹ M. Berer: "Whatever Happened to 'A Woman's Right to Choose'?" *Feminist Review*, 29 (Summer, 1988), pp. 24–37. <https://doi.org/10.2307/1395145>.

¹⁰ Ibidem, p. 24.

fended the right to abortion with a variety of arguments. But Judith Jarvis Thomson's one is distinguished; she defends a woman's ownership of her own body with the help of a striking analogy: Imagine waking up one morning tied to the body of an unconscious violinist suffering from a fatal kidney disease. Let the fans of the violin artist kidnap you and connect this famous violinist to your blood circulation system so your kidneys can filter his blood. Also, you are told that the violinist will recover in nine months and may leave you without danger, but during this time in between, your body's separation will cause him to die. He does not have to be a violinist; whoever he is, he has a right to life. However, since he is a famous violist, his fans will be devastated because they will be deprived of the artist's future productions. Your life is not in danger, but you must stick to the violinist for nine months against your will.¹¹ Of course, this dependency, which you do not choose as your own choice, threatens your autonomy and freedom. Through this analogy, Thomson tries to show that a fetus's right to life may violate a woman's rights to her body. If our body is not a means, then it cannot be used without our consent, even at the cost of someone else's life.

Although modern philosophy separates the mind from the body as if it were inferior to the mind, great emphasis was placed on it. The father of classical liberalism, John Locke, emphasized freedom of the body as an inseparable aspect of an individual's freedom. Any person (obviously a man) has the absolute right over his own body. Locke unequivocally established that bodily rights (excluding labor power) cannot be alienated and transferred to anyone else.¹² An individual cannot transfer his rights over his own body to another person, even if it is on a voluntary basis. Adopting Locke's philosophical foundations, Robert Nozick conceives the ownership of one's own body, as Locke describes it, as the right to own oneself. Nozick also appeals to the Kantian imperative as a substantive conception of the "right to self-ownership" derived from the principle of treating people as "ends in themselves."¹³ Accordingly, individuals have rights and no one or no group can violate these rights, and individuals are not means but ends; they cannot be used as a means or sacrificed for other ends involuntarily. This strong defense of self-ownership ensures that we are "separate entities", i.e., "separate individuals who are not the source of another."¹⁴ Respecting these inviolable rights is necessary to respect people's wishes to be treated as ends in themselves, not the means of others.

¹¹ J. J. Thomson: *A Defense of Abortion*, pp. 48–49.

¹² J. Locke: *Two Treatises of Government*. Ed. P. Laslett. Student ed. Cambridge University Press, Cambridge 1988.

¹³ W. Kymlicka: *Contemporary Political Philosophy*, p. 108.

¹⁴ R. Nozick: *Anarchy, State, and Utopia*. Basic Books, New York 1974.

Thus, adopting self-ownership liberal and libertarian feminism simply maintains that since women are entitled to their bodies, every woman should have the right to access abortion as well as the right to have a child (or not to have any). Women cannot be asked to make sacrifices since they are ends in themselves, not means for others.

Feminist Criticism of Liberal Autonomy and Rights Discourse

The third-wave feminists criticize liberal feminism for many reasons, but most often for their assumption of women as agents, just like men. Traditional and contemporary liberal philosophy recognize the individual as a rational agent capable of making rational decisions, free from the influence of circumstances. However, this conceptualization of the individual reflects the male-dominated character of philosophy. According to this understanding, an individual can isolate himself from social relations and cultural determinations. Thus, regarding the abortion debates, liberal feminism lessens the issue as if it were just a private decision of women themselves.

Laurie Shrage¹⁵ states that the liberal advocacy of abortion is based on the four fundamental rights. Keskin summarizes her argument: (i) The right to be free from social pressure on personal issues such as reproduction. (ii) The freedom to listen to one's conscience on morally controversial matters. (iii) The freedom not to be forced into non-voluntary service, including the right to refuse to help someone else, even in critical situations. (iv) Freedom from bodily harm and interference.¹⁶ As can be seen, these immunity rights are recognized as property rights inherent to the person; that is, one's own body is respected as inviolable property. In the USA, the Supreme Court of Appeals ruled in 1973 that having an abortion is a protected right of women and provides a fundamental "right to privacy." As Elizabeth Porter points out, this is the positive side of the decision, but looking from the negative side, the person is alone in his other actions as well as in the decisions she

¹⁵ L. Shrage: *Abortion and Social Responsibility: Depolarizing the Debate*. Oxford University Press, New York 2003.

¹⁶ İ. Keskin: "Abortion Debate and Feminism." *Fe Magazine*, 7 (2015), pp. 86–95. https://doi.org/10.1501/Fe0001_00000000133.

makes.¹⁷ Similarly, Elizabeth Schneider stresses that it is not proper to justify women's reproductive rights and freedoms as a matter of privacy because, at the same time, it justifies the public-private dichotomy that has historically oppressed women.¹⁸ Rather than seeing abortion as part of women's collective freedom as equal citizens, immunity rights, and privacy leave the decision to the private domain.¹⁹ However, making a choice cannot be isolated from the context and social practices.

Catriona MacKenzie and Natalie Stoljar have made a great contribution to feminist literature with their concept of "relational autonomy", which emphasizes the need to reconsider the issue of individual autonomy within feminist theory because autonomy has a male character.²⁰ At first glance, the demand for autonomy aligns with the feminist project offering liberation. However, feminist epistemology tries to prove that the concepts of self, agency, autonomy, and responsibility are epistemologically problematic since atomic subjects actually do not exist. Therefore, Mackenzie and Stoljar think that autonomy should be reformulated. Nevertheless, they insist that autonomy is an important step and reformulate autonomy as relational autonomy.²¹ Relational autonomy refers to social relations rather than atomic, self-directed, and self-sufficient individuals. Accordingly, the self is embedded in social and cultural structures and lies at complex intersections that transcend the individual, such as race, ethnicity, class, sex, gender, religion, and culture. As such, relational autonomy always considers the intersubjective dimensions of one's moral and political agency, social touch, and dynamism. However, it should not be forgotten that relational autonomy focuses on the emotional and creative aspects of the agents while also paying attention to their rational capacities.²²

As Andrea Veltman and Mark Piper²³ (2014) simply stated, if feminism involves opposing the domination of women and liberation of women from male-dominated relationships, then feminist theory and philosophy cannot give up the demand for autonomy; since the loss of autonomy has very dangerous consequences. But sometimes, women express that they do things of their free will out of their desires, which is thought to be a result

¹⁷ E. Porter: "Abortion Ethics," p. 76.

¹⁸ Ibidem, p. 78.

¹⁹ Ibidem.

²⁰ *Relational Autonomy: Feminist Perspectives on Autonomy, Agency, and the Social Self*. Eds. C. Mackenzie, N. Stoljar. Oxford University Press, New York 2000.

²¹ Ibidem, pp. 3–5.

²² F. Tütüncü: "The Agency of Germaine de Staël and the Feminist Conception of Relational Autonomy." *FLSF Journal of Philosophy and Social Sciences*, 24 (2017), p. 5.

²³ *Autonomy, Oppression, and Gender*. Eds. A. Veltman, M. Piper. Oxford University Press, Oxford and New York 2014.

of patriarchal oppression. For example, women can spend their whole lives sacrificing themselves excessively for their families. Similarly, they do not say “no” to any demands of men. Or, women in some cultures and regions prevent themselves from social and working lives and cover their heads and even their faces following their own wishes. Indeed, in many cases, it is considered appropriate for women to give up on themselves and act altruistically. However, the excess of such renunciation and sacrifice may indicate a loss of autonomy. Women can form their preferences in harmony with the situations that force them, and they can rationalize all these acts and choices with autonomy. The fact that women consent to and adapt to some patriarchal practices shows the importance of defining autonomy relationally.²⁴ Women can have certain desires or preferences that are shaped by the oppressive ideologies and beliefs imposed on them; this may not denote autonomy but rather deformed preferences.

Free Choice and Access to Reproductive Rights in General

Feminists in favor of free choice argued that there is often an unnecessary emphasis on fetal rights in abortion debates; however, they state that there is little emphasis on the circumstances or contents in which abortion decisions are made. Susan Sherwin thinks that traditional and non-feminist approaches to abortion are superficial because they address the issue of abortion in a way that is disconnected from the social and sexual oppression of women and the struggle women have to gain control over their bodies and reproduction. Thus, non-feminist arguments erroneously focus on the moral status of the fetus rather than the moral status of abortion.²⁵ According to Sherwin, the real moral problem in abortion debates is that pregnancy occurs in women’s bodies and affects their lives, thus trapping women in the dilemma of giving birth or aborting. Therefore, rather than women’s right to choose, we should aim to change conditions towards women’s liberation. Sherwin criticizes that in abortion debates, both sides of the debate are often focused on the individual; instead, considering the centuries-long oppression

²⁴ N. Stoljar: “Feminist Perspectives on Autonomy.” Stanford Encyclopedia of Philosophy. Ed. E. N. Zalta. <https://plato.stanford.edu/archives/win2018/entries/feminism-autonomy> [accessed: 30.12.2024].

²⁵ S. Sherwin: *No Longer Patient*, p. 315.

of women and their dependence that continues today, the abortion debate should be addressed as a social issue, not an individual one. The solution to the problem should be founded on collective and institutional bases. Continuing a pregnancy places a burden and responsibility on women in many ways. The first stage of the financial cost is the doctor's check-ups, vaccinations, the realization of the birth, and the inability to continue working life, especially towards the end of pregnancy for forty weeks. The change in her body and her care psychologically affects her adaptation to both her new body and her new life. The postpartum burden affects almost the rest of her life. Taking care of a baby is very costly. If she is alone, it is difficult for her to sustain her life and her baby. So, women need financial support and assistance for nursery, paid leave, health care, insurance, social security, and payment of retirement premiums. These needs of women maintain their dependence on a man or their family. Therefore, when discussing the moral dimensions of abortion, it should be taken into account that the birth process increases the woman's dependency for almost a lifetime. Thus, Sherwin addresses women's emancipation by changing the conditions for women; otherwise, abortion debates boil down to a matter of choice.

Sherwin describes the view that focuses on the individual "narrow frame," while her approach is a "broad frame" in that she addresses the issue in a social context.²⁶ Individuals are embedded in the society in which they live. Individuals' desires, tendencies, attitudes toward life, and expectations for the future affect each other. However, the traditional liberal view of the individual assumes that the individual is an independent, rational, self-determined, atomic being; on the contrary, human beings are relational beings. Individuals are mutually dependent on each other, influenced by each other, and formed together. While the traditional understanding of autonomy suggests that individuals can make independent decisions according to their interests or values, the relational approach, including Sherwin's, argues that values and decisions are produced from a relational position. Thus, the moral framework in abortion debates ought to consider these individuals' relational positions and social structure.

For women to free themselves from male domination, first, they must take control of their bodies, which begins with the control of reproduction and birth. Women obviously become more dependent on men after giving birth. As Sherwin claims, the value of a fetus is first determined by the relationship with the woman carrying it, and no other value is attributed

²⁶ S. Sherwin: "Whither Bioethics? How Feminism Can Help Reorient Bioethics." *International Journal of Feminist Approaches to Bioethics*, 1 (2008), pp. 7–27. <http://www.jstor.org/stable/40339210>.

to the fetus outside of this relationship. When the fetus is considered an independent entity with rights, the roles of pregnant women as independent moral subjects are ignored, and they are approached only from the perspective of priority and responsibility that determines the social status and value of the fetus.²⁷ Considering that the life of a fetus is completely dependent on a woman's body and the biological and social changes a woman experiences, abortion should be entirely the woman's choice. In this account, the moral status of the fetus is relational and depends on the role it plays in the pregnant woman's body. But this paper does not adopt this view as a definitive account of fetal moral status but instead analyzes it, and the aim here is to assess the internal coherence and limitations of these relational arguments, not to assert that moral relevance should be determined solely by such relationships.

Unfortunately, recognition and legalization of a right do not always ensure access to that right in practice. As Pollack Petchesky claims, accessing abortion means being able to act as a fully functional person in the public sphere.²⁸ Petchesky argues that abortion is a social right, not an individual (civil freedom) or welfare right (for those in need). Thus, real access to abortion is a precondition for women's well-being and self-determination.²⁹ Recognition and legalization of abortion as a social right is one thing, but it must include providing the necessary conditions to access that right in practice. When the right to self-determination is formulated in this way, it is not an atomic right, i.e., "leave me alone" as understood by the liberal theory of autonomy; rather, it is associated with a holistic view that all of our personal decisions affect our body, personality, and our political participation as a citizen and are affected by that participation."³⁰

Sherwin's approach as an alternative to understanding bodily autonomy is similar to the Marxist approach to self-determination as opposed to the "right to free choice." According to this approach, autonomy is not the freedom of individuals to choose any option offered to them without any interference or pressure. Autonomy means self-determination or the capacity for self-determination.³¹ Here, we are not talking about an individual position of mastery over oneself. A person's mastery over oneself, the options available

²⁷ L. M. Morgan: "Fetal Relationality in Feminist Philosophy: An Anthropological Critique." *Hypatia*, 11(3) (1996), pp. 47–70. <https://doi.org/10.1111/j.1527-2001.1996.tb01015.x>.

²⁸ R. P. Petchesky: *Abortion and Woman's Choice: The State, Sexuality, and Reproductive Freedom*. Verso, London 1986.

²⁹ Ibidem, p. 387.

³⁰ E. Porter: "Abortion Ethics," p. 78.

³¹ J. Denbow: "Abortion: When Choice and Autonomy Conflict." *Berkeley Journal of Gender, Law & Justice*, 20 (2005), pp. 216–228. <https://doi.org/10.15779/Z38KH0DZ2H>.

to her, her vision of the future, her idea of a good life, etc., are inseparable from the person's relationships and the social conditions in which she lives. Therefore, self-determination is discovering oneself while being aware of all these conditions and struggling with those conditions. Therefore, if destiny is to be changed, this is not something that individuals can handle alone; it is possible through collective struggle.

Here, the feminists who defend the right to free choice, or more generally, those who insist that abortion should be considered in a context broader than the issue of bodily autonomy, refer to the right to self-determination as in the Republican and Marxist theories. The emphasis on social context focuses on policy practices regarding maternity leave, child and family assistance, health insurance, child care, nursery service, housing, nutrition, and education. So, reproductive rights include both positive assistance to women with child-rearing and the right to have an abortion.

Are Bodily Autonomy and Self-Determination in Opposition?

The need for abortion is real and vital for women. As Denbow reports, the rate of Catholics having abortions in the US is the same as for non-Catholics. Ireland was the strictest country in the Western world on abortion bans until 2019, but that did not stop women who intended to have an abortion; those who could afford it went to England to have abortions. And, in Latin America, the Caribbean, Asia, Africa, and the Pacific, due to strict abortion bans and restrictions, women who want to have an abortion are forced to resort to illegal means. As can be seen, abortion bans do not reduce the rate of abortions, but they increase the rate of abortions in unhealthy conditions and poor medical practice.³²

Demanding abortion as a social right is more than a right of individual choice. The basis of the social demand lies in the totality of a woman's demand for certain rights and their autonomy to bodily self-determination. This social right should not mean unlimited and unprincipled abortion, as it leads to a painful, morally acute dilemma that involves reflecting on the dialectical interplay between rights and responsibilities. As Denbow puts it, reproductive rights and abortion ethics require a sensitive combination of

³² J. Denbow: "Abortion," p. 226.

both individual rights and social responsibilities.³³ Thus, the arguments for abortion and reproductive rights ought to involve an emancipation project in a positive sense from all patriarchal relations.

Thinkers like Jennifer Denbow, Elizabeth Porter, and Rosalind Petchesky emphasize the drawbacks of the demand for autonomy, especially in the context of abortion. When the US Supreme Court guaranteed abortion as a personal choice and fundamental right, it certified women's bodily autonomy. However, as Denbow explains, increasing the options does not increase freedom.³⁴ For example, if a poor woman wants to continue her pregnancy, having an abortion as an option can negatively affect her decision. Having more preferences is certainly better than having fewer preferences; however, sometimes it is not. As will be discussed below, the option of aborting a girl when a boy is desired is a choice that cannot lead to women's emancipation. Even the existence of some options can sometimes undermine the right to self-determination.

The obvious problem in Western countries such as the USA, where the idea of individualism is rooted, is traditions, family, husband, or state do not directly interfere with the female body and productivity; but there is a thin line between atomization and isolation so, isolation of women may lead to women not to get any support of the society and the state when they need some care and assistance. This non-intervention can lead women to have an abortion even if they do not prefer it. Jeanne Schuler summarizes the situation of women who have been left with their bodies and decisions in Western societies as "whatever happens to me is overwhelmingly up to me."³⁵

Thus, the issue in the West appears to be women's poverty and isolation compared to women's problems in other geographies. But in other countries, women face more naked forms of oppression. Although abortion is permitted for up to ten weeks in Türkiye, public and private hospitals are under surveillance to prevent arbitrary practices, and approval of three physicians (mostly two gynecologists and a radiologist) is required for the operation. In other words, although the law allows for voluntary abortion, in practice, following the instructions of the Ministry of Health (since 2012), it can only be performed in cases where the health of the mother or baby is at risk. Private hospitals that have agreements with the Social Insurance Institution also cannot perform abortions in order not to be deprived of state support. So, only private clinics can do abortions voluntarily. Women with poor or middle income or living outside the metropolitan cities do not have access

³³ Ibidem, p. 216.

³⁴ Ibidem, p. 217.

³⁵ Ibidem, p. 218.

to abortion in practice. As seen, having a right does not ensure access to that right. And also, along with the changing political structure in Turkey since the 2000s, there have been some radical changes in social perception. Women who exercise their legal rights and the doctors who perform this legal procedure are criminalized in the eyes of the state and society. So, an individual's rights are empty without their social content since the social sphere is where rights are put into practice; they gain meaning in a certain context.

In Turkey, after the practical restrictions on abortion, women raised their voices and demanded their rights to their bodies through various protests. The slogan was "My body and my decision," which opposes all kinds of pressure on the female body and demands autonomy, but sounds like a liberal sense of freedom. In the 1960s and 1970s, the women's movement demanded equality with men and emancipation; however, as Elizabeth Porter puts it, the struggle for emancipation has been understood as liberation in a negative sense, and the right to abortion is recognized as freedom of choice.³⁶ Abortion is a multidimensional issue, from sexual education to birth control, from pregnancy to postpartum care, and from parenting to economic issues. Reproductive freedom and abortion ethics involve a dialectical interaction between rights and responsibilities in social, cultural, and specific contexts. So as Jaggar suggests, our focus should be on meeting human needs rather than individual rights.³⁷

There are completely different problems regarding abortion and reproductive ethics in the East than in the West. As it is known in some Far East Asian countries, governments force women to have abortions due to their population policies. For example, although there is no strict abortion enforcement after two children in Vietnam, to pursue a career in government or party offices, one must have no more than two children. Traditionally, girls in Vietnam are not recognized as children whom the family will trust in the future, for one day, these girls will get married and will belong to their husbands' families and take care of them rather than their parents, so boys are seen as the family's future. In such countries, when it is understood that the fetus is a girl, the mothers feel the pressure of from society, or they have an abortion directly with the intervention of their husbands and families. As Pauline Oosterhoff et al. point out, in Vietnam, an HIV-infected mother who learns that the fetus is male decides to continue her pregnancy but prefers to have an abortion if the fetus is a girl. And in the cases where the fetus is disabled, the parents also have a sex-selective abortion.³⁸ Thus, in

³⁶ E. Porter: "Abortion Ethics," p. 66.

³⁷ Ibidem, p. 70.

³⁸ Cited by: M. H. Tran: *Global Debates, Local Dilemmas: Sex-selective Abortion in Contemporary Viet Nam*. ANU Press, Australia 2018. <http://doi.org/10.22459/GDLD.2018>.

such societies where sex-selective abortion is free, women consider aborting their girls due to social pressures, so the existence of a choice continues to be a tool to maintain patriarchal domination over women. As can be seen, concepts such as autonomy, individual choice, agency, body ownership, personal rights, and privacy, which are frequently used for the demands of women's reproductive rights, are far from solving the problems originated by the cultural structures in Far East Asia. According to Minh Hang Tran, women in Vietnam are oppressed both under the traditional pressure of having many children, especially boys, and under the state's policy of having a maximum of two children.³⁹ These two conflicting pressures, women, especially in rural areas, choose to have a sex-selective abortion to reserve the quota for giving birth to two children for boys.⁴⁰ Aida Seif El Dawla claims that the relationship these women establish with their bodies oscillates between traditional obligations and their careers.⁴¹ But there is one point that Seif El Dawla and Hang Tran ignore here: In Vietnam, women are not actually under the pressure of the state, at least in terms of their reproductive rights; the state policy is essentially protecting women from being incubators. Here, the main oppressor is male-dominated traditions. The main reason that determines the behavior of women who have a sex-selected abortion is patriarchal culture. The traditional structure is a dominant power over women, but it is problematic to claim that the state's intervention is dominant. On the contrary, the state intervention is perhaps a positive intervention that will change the social status of women in Vietnam. Therefore, not every intervention is domination.

As briefly mentioned above, in his *Republicanism: A Theory of Freedom and Government*, Philip Pettit distinguishes perfectly between intervention and domination; for him, not all intervention is domineering, and not all domination involves intervention. The liberal autonomy discourse targets the intervention of the state, society, family, and father; however, the real issue here is not intervention but domination. The argument for self-ownership and freedom of choice will not be enough for a woman to decide about her body and her career or her future life freely. So, the feminist demand should aim for non-domination, not non-intervention. Politics is done through a theory and language, and we perceive and interpret our political experiences and moral dilemmas through a theory. Thus, the motto "My body, my choice" is, on the one hand, a statement that women have the right to speak for themselves. The state, religious authorities, fathers, and husbands

³⁹ Ibidem, p. 83.

⁴⁰ Ibidem, p. 59.

⁴¹ Ibidem, p. 74.

cannot tell women what to do. However, on the other hand, it is clear that the saying burdens all the responsibility on women and covers up the social problems that women have to deal with. In the case of abortion, advocating self-determination and non-domination, not the liberal language of non-intervention, will be a more powerful discourse for women's emancipation.

Conclusion

Abortion has been discussed a lot over the past decades, but this issue has been trapped in debates about the personhood of the fetus and women's right to ownership of their bodies. In this paper, we have critically examined two arguments that attempt to defend the permissibility of abortion without appealing to the moral status of the fetus. Importantly, this analysis has not aimed to resolve or even enter the broader debate about the moral status of the fetus. That question, while essential to a comprehensive ethical evaluation of abortion, is beyond the intended scope of this discussion. Our focus has been limited to the internal coherence and limitations of two prominent arguments that seek to bypass that issue. Relatedly, this paper does not engage with the question of when exactly a fetus or child becomes capable of surviving independently of the pregnant person. While such considerations – often framed around fetal viability or degrees of postnatal dependence – are crucial for a full moral and legal analysis of abortion and parental obligations, they are not the focus of this study. Nevertheless, recognizing that dependency evolves gradually and continues beyond birth highlights the complexity of drawing clear-cut moral boundaries in the abortion debate.

Anti-abortion policies are a clear interference with women's bodies and their reproductive rights. However, as Markowitz points out, women's reproductive rights ought not to be discussed as a gender-neutral concept without oppressive social structures that dominate women.⁴² Autonomy is relational and cannot be achieved without dissolving patriarchal social structures and dismantling the gender roles attributed to women. The right to self-determination of women must be demanded before ownership of women's bodies for women to free their own choices from the influences of patriarchal relations. Otherwise, as Porter points out, women are left alone with their

⁴² S. Markowitz: "Abortion and Feminism," p. 3.

privacy, as in the US case; giving birth and raising the child requires more responsibility than maintaining the pregnancy. It is a matter of care and responsibility rather than a conflict of rights.⁴³ Thus, we ought to consider the right to bodily autonomy and reproductive rights of women through the lenses of both gender and class oppression.

From a Marxist perspective, women's emancipation is inherently tied to class struggle, as capitalist systems exploit both labor and reproductive work. Women's reproductive labor, such as childbirth and caregiving, has historically been controlled by repressive structures. Marxists argue that capitalism not only exploits women as workers but also maintains control over their reproductive rights, limiting their autonomy. The problem in the Turkish example is also class-based; the state limits the choices of poor women. Even in small cities, in areas where there are no private clinics that do not receive health insurance support from the state, pregnant women are left with no choice but to give birth.

The case of Vietnam stands out in a completely different way where the state's intervention is to force women to have sex-selected abortions under pressure, but it seems to be an intervention aimed at breaking down traditional roles. It can be said that the state carries out this coercion for a kind of public benefit rather than an intervention on the female body. Therefore, this intervention can be an example of an intervention that does not involve domination. In the context of self-determination and reproductive rights, a Marxist approach would emphasize that women must have control over their bodies, including the right to decide if and when to have children, to achieve true liberation. This would mean access to contraceptives, abortion, and proper healthcare services without state or patriarchal interference. Furthermore, this self-determination also extends to women's ability to engage in public and economic life without being burdened by traditional gender roles or reproductive expectations imposed by the capitalist system. In this Vietnam case, the state's intervention seems to help smash traditional patriarchal domination to the benefit of women, in a sense.

In essence, the Marxist notion of self-determination for women in the realm of reproductive rights connects the struggle for gender equality with the broader struggle against capitalist oppression. Women's control over their bodies, including their reproductive choices, is seen not only as a matter of personal autonomy but as a crucial element in the broader fight for social, political, and economic equality. The slogan "my body, my decision" includes a liberal demand for autonomy and privacy. The oppression that women are subjected to and the domination they live under in many parts

⁴³ E. Porter: "Abortion Ethics," pp. 71–78.

of the world cannot be overcome by non-intervention. Therefore, abortion debates should be addressed from a broader perspective than intervention into women's bodies.

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