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### Abortion in Paraguay Case Study

Abortion is a controversial topic among a variety of people, but particularly draws attention from the conservative Christian community. The circumstances surrounding abortion vary from case to case, and many definitions are attributed to the ambiguous terms involved with the abortion debate. One situation that sometimes falls into a gray area is that of abortion in instances of rape. Those concerned with both Sexual Ethics and Issues of Life and Death contribute thoughts on the matter, and both religious and nonreligious ethical theories can be applied to the abortion debate. To analyze such a case I will be considering Christian and Utilitarian Ethics regarding abortion. Using these theories, one may conclude that abortion would have been an ethical option in this particular situation. This case took place in South America, in predominantly Catholic Paraguay, thus making the Christian ethical stance particularly relevant. This case surrounds the rape of a 10 year-old girl, who was denied an abortion and thus forced to continue her pregnancy. I am not concluding that abortion is ethical in all cases or should be completely legalized in Paraguay. However, from the standpoints of Christian and Utilitarian Ethics, forcing a 10 year-old girl to carry a baby to term is immoral as it produces a negative impact on the pregnant girl, newborn, and the community as a whole.

In April 2015, a 10 year-old girl (referred to as Mainumby) suffering from abdominal pain was taken to the hospital, where doctors concluded that she was 22 weeks pregnant (Romo & Garelli). Mainumby had allegedly been raped by her stepfather, Gilberto Benitez Zarate, who denied charges (Guevara-Rosas). Mainumby's mother also faces neglect charges, despite her attempts to report the abuse in 2013, eliciting no help from authorities (Romo & Garelli).

Mainumby was denied an abortion as health officials stated “no indication that the health of the girl is at risk” (Hanna & Romo). Paraguay only allows abortions when “pregnancy endangers the mother’s life,” thereby forcing Mainumby (age 11 by the time of labor) to carry the baby, which she delivered in August via C-section (Romo & Garelli). While this case may seem shocking, CNN journalists Romo and Garelli reported statistics of close to 700 girls, between the ages of 10 to 14 alone, that gave birth in Paraguay last year. Many of these girls faced similar situations as Mainumby. Nevertheless, international humanitarian organizations have responded angrily to the resolution of Mainumby’s case. Since this is not a mere anomaly, the decisions impacting Mainumby will have residual consequences for the future young survivors of sexual assault that will undoubtedly come after her.

This case falls into the categories of Sexual Ethics as well as Issues of Life and Death. Clearly, the matter of incest is an example of non-consensual sexual perversion, and Mainumby’s case also involves the rape of a minor. This case is also involved with Issues of Life and Death, as the concept of abortion is frequently perceived to be the intentional taking of a life, and some go as far as equating it with homicide. Mainumby’s case draws in ethical concerns surrounding sexual practices, as well as the rights attributed to both the pregnant mother and the fetus. The medical definition of “fetus” referred to in this case is an “unborn offspring, from the end of the eighth week after conception until birth”(“Fetus Definition”). At this stage, the fetus has developed many key organs, appendages, and has significant brain development (Storck). The ambiguity surrounding what exactly constitutes the beginning of human life is a major source of controversy in the abortion debate.

In an essay entitled “Theology and Morality of Procreative Choice,” Harrison and Cloyes define “moral” as “that which makes for the self-respect and well-being of human persons and their environment”(359). This is a definition that I will adopt for the purpose of my argument. The term ‘ethical’ will be used in a manner that implies accordance with the criteria of the term ‘moral.’ Mainumby’s case has drawn attention from several organizations such as Amnesty

International, and carries implications for various population reports. Such coverage impacts the question of whether it would have been a morally valid decision to grant Mainumby an abortion. According to the *State of World Population 2013* UN report, there are 7.3 million teenage pregnancies each year in developing countries, and “2 million are to girls who are 14 or younger, many of whom suffer grave long-term health and social consequences” (“Motherhood in Childhood”). This report also states “an estimated 70,000 adolescents die each year from complications during pregnancy and childbirth” (“Motherhood in Childhood”). Aware of such statistics, it can be reasonably deduced after some examination that abortion very well could have prioritized Mainumby’s “self-respect and well-being,” as well as that of her community, by reducing health risks as well as the overall rate of teen pregnancy. Clearly, the risk undertaken by Mainumby does not apply only to her, but also to a large number of girls in developing countries. Christian values can be understood in a way that prioritizes the ‘well-being’ of Mainumby’s overall health, which is linked with that of other adolescents in similar situations. The God-given lives of these girls are valuable and need not be unnecessarily inflicted with pain. Utilitarian theory believes the concept of ‘well-being’ to be inherently valuable in and of itself, and thus prioritizes the happiness of Mainumby’s entire community, which we will see is negatively affected by youth pregnancies (Nathanson).

Utilitarian Ethics is concerned with the total amount of happiness in a given situation. According to the Internet Encyclopedia of Philosophy, “the principle of utility— do whatever will produce the best overall results—should be applied on a case by case basis”(Nathanson). Based on Utilitarian Ethics, it can be argued that abortion would have been a moral option for Mainumby, as it would have benefited the greatest number of individuals and prevented several forms of pain. Americas Director at Amnesty International, Erika Guevara-Rosas, writes “The fact that Mainumby did not die does not excuse the absolute lack of care by the Paraguayan authorities, who simply decided to gamble with her health, life and integrity.” This illustrates the risk that was placed not only upon Mainumby, but also on the greater community of pregnant

youth in Paraguay. As the UN has reported, the number of adolescent pregnancies in developing countries is not small, suggesting Mainumby's case is a 'rule' rather than an exception. Thus, treating Mainumby's health in such a manner potentially sets a precedent for the fate of millions of youth in developing countries. Despite a statistic implying she may suffer from later complications, authorities were willing to risk greater pain to Mainumby, implying the same verdict would stand for similar cases, which disregards the value of utility for a large group of individuals. Based on the previously mentioned statistics, these complications could be minor or severe; this creates some possibility of leaving the newborn child orphaned or otherwise without capable parental care. Thus, the denial of an abortion in such cases negatively impacts new mothers *and* their offspring.

Adolescent pregnancy in developing countries such as Paraguay would not fit within the Utilitarian ideal of what is "good," as it leads to negative consequences for the whole country.

Nathanson writes:

"Pleasure and happiness, however, are 'intrinsic' goods, meaning that they are good in themselves and not because they produce some further valuable thing... pain, suffering and unhappiness are intrinsically bad, i.e. bad in themselves and not because they produce some further bad thing."

UNICEF reports that adolescent fertility plays a role in the perpetuation of poverty, malnutrition and infant mortality, the girl's chances of dropping out of school, as well as "lead[s] to difficult situations for the young mother, her family and her offspring" ("Teenage Motherhood" 2).

Clearly, unintended adolescent pregnancy is of no benefit to the community. The "gamble" that the authorities took in forcing this continued pregnancy has not placed the correct value on overall utility (happiness), as it opened the door for 'intrinsically bad' suffering for Mainumby, other girls in her position, and Paraguay as a nation. From a Utilitarian standpoint, abortion would have been a more seemingly ethical action, as it would have reduced or avoided the pain stemming from consequences of unintended pregnancy, and thus would have respected the

nation's utility as a whole (Nathanson). As Mainumby was denied an abortion due to the Catholic heritage of her country, we now turn to Christian Ethics for moral justification.

From a Christian standpoint, Jesus does not give many direct thoughts or commands related to specific moral issues. Because there are not clear-cut messages from Jesus surrounding ethical concerns, Christian Ethics draws on four sources: The Bible, Church Tradition, Experience, and Reason. Each of these aspects of Christian Ethics can be applied to the abortion debate, and Mainumby's case in particular. While many Christians are strictly against abortion, there are those Christians that advocate for a religiously informed, pro-choice approach, such as Susan Brooks Thistlethwaite and Catholics for Choice.

One of the greatest values of Christianity is the importance of human life. The most obvious source of Christian Ethics, Biblical teaching, is used to demonstrate this. Verses such as, "So God created mankind in his own image," are cited to emphasize the value of human life (New International Version, Gen. 1.27). This is the basis for much opposition, particularly from the pro-life side of the abortion debate, used in claims that abortion is equal to murder. However, this same verse can demonstrate the intrinsic worth of Mainumby's life, which should merit a level of choice and an assurance of health in response to a situation beyond her control. Forcing a newborn upon Mainumby could reasonably deteriorate her quality of life to some degree. Rather than valuing her life over that of the fetus, some see it as enhancing a life that God had already placed in the world, instead of fighting for the rights of unborn offspring. Susan Brooks Thistlethwaite, former seminary president and current professor of Theology, is adamant about the Christian morality of procreative choice following instances of rape. In her writing, she emphasizes the fact that rape is a sin and not "God's intention". Her argument surrounds the emotional and mental health of the survivors of assault, and she argues that rape is an "offense to God, and violates God's intention for human life." From this perspective, abortion is not 'murder,' as some Christians label it. Rather than God's gift of life, Thistlethwaite poses the post-rape pregnancy to be a "tragedy, not part of 'God's will'." Abortion following rape is not

ending a life that God intended to come to fruition; rather, it is terminating the consequences of a violent crime that God did not want to witness, as violence and misery were not God's vision for humanity. She describes rape as sin, all of which is a product of humanity's "fall from perfection"(Thistlethwaite). For Thistlethwaite, post-rape abortion is morally valid as it still prioritizes the importance of God's *intended* creation, being the (in this case, adolescent) mother.

Drawing on the source of Church Tradition, it is true that many Christian denominations, particularly Catholicism, have a history of opposing abortion. While tradition certainly impacts decisions today, it should not be the only deciding factor in these kinds of situations. The history of this tradition has prioritized the life of the fetus to the point of decreasing the worth of the mother's life in forcing her to continue with, often unhealthy (physically or emotionally), pregnancies. Tradition is not merely stagnant, but can be reinterpreted and come to change over time. In a letter to the editor of *The Washington Post*, president of Catholics for Choice Jon O'Brien reminds readers of the "nuances" within Catholic teaching. He writes, "Catholicism is more than the teachings written down by the pope and theologians – at its core is the role of individual conscience." This organization relies heavily on this idea of "individual conscience," which is related to the Christian ethical source of Reason. When it comes down to a decision such as abortion, this group of Catholics argues that it is the individual's choice, based on what they can reconcile within their own conscience. O'Brien even cites the Vatican's acknowledgement that the opinion of Catholics is not unified on the matter of abortion. This being said, decisions cannot be based solely on previous decisions, as it ignores the Reason and Experience sources that also contribute to Christian Ethics. Tradition need not have a monopoly on all of Christian problem solving; if the conclusion of a specific case devalues God's creation (the mother), by taking away her control of her body, Tradition by itself does not honor Christian values fully, even if it respects the sanctity of fetal life. The abortion debate cannot be

resolved as simply as placing the value of one life over another, but for Catholics must involve conscious reasoning.

Experience and Reason rely on the belief that God gifted humans with rationality and the ability to think for themselves, with the capability to make logical decisions and conclusions. O'Brien calls this: "not only [a] right but also [an] obligation to make moral decisions based on our own consciences." Here, O'Brien prioritizes the ethical source of Reason as a decision-making tool. Based on medical statistics and the reasoning that Mainumby's life is valued as a facet of God's creation, it would be logical for Christians to concur that the decision to grant Mainumby an abortion would have been a rational one, and therefore could have been ethical. When looking at abortion from a Christian perspective, it is integral to keep in mind that there is not one all-encompassing opinion; there are degrees of variation, within the overall religion, within a certain denomination, and undoubtedly within one's own church. Abortion cannot be simply regarded as valuing one life over another, but needs to take into consideration the broader sources of Christian Ethics.

Within this wide range of thoughts on the matter, it is easy to get caught only hearing one side, as many people tend to exclusively hear the pro-life view. The pro-life stance raises valid points in accordance with Christian teaching; however, its argument tends to prioritize fetal life to the point of devaluing other members of God's creation, namely the mother. It is a fundamental aspect of Christianity that human life is a "gift of God" (Harrison & Cloyes, 356). Therefore, it can be understood that many Christians view abortion as destroying a sacred gift. Understanding that we are also gifted with the ability to use reason, it becomes difficult to demonize all abortion outright, on the grounds of utilizing God's gift (as we are gifted with many things). It is hard to justify the forcing of an 11 year-old child to be responsible for another child, accompanied by any emotional or physical complications of such a pregnancy, when abortion seems the *rational* solution in order to preserve her quality of life. Gambling with a child's health, in addition to the future well being of *her* child, is not what God intended for sacred human life.

In such instances that a mother is surely unfit to care for both herself and a baby (such as an 11 year-old), the solution that most clearly exemplifies a respect for the value of both lives would have been an abortion.

The resolution of an abortion in Mainumby's case would have valued human life just as Christians seek to do. Therefore the Catholicism of Paraguay is not a sufficient reason to deny abortion in such a case. My argument is less thorough than some, as it does not explore in detail the scientific conundrum of when exactly an embryo is considered human; therefore it does not fully address the validity of attributing rights to a fetus. Such an issue has been debated time and again and has yet to reach a universally accepted conclusion. Perhaps the resolution of such ambiguity could attempt to reconcile the opposing sides of the abortion debate. A solid conclusion of that matter, however, has not been agreed upon, and certainly overreaches the main argument of this essay. The view portrayed here looks closely at the predominantly negative implications that youth pregnancy has on young mothers, their offspring, and the affected nation as a whole.

For Mainumby, terminating the pregnancy would have reduced risks to her health, as well as prevented her from having to be responsible for the physical reminder of her traumatic abuse. The pregnancy was a culmination of acts that Mainumby suffered in and from; she had no control over her abuse, and should not be forced to care for a child when she is still one herself. Harrison and Cloyes describe parenthood as more than mere biological capability, but "power to actively love, nurture, care for one another and shape one another's existence in cultural and social interaction" (359). Based on these criteria, an 11 year-old girl is ill equipped to be a stable and loving parent, and both her and her child will continue to face many struggles that could have been avoided. Abortion is so frequently demonized by Catholicism in all instances, yet the sanctity of God's creation implies the importance of quality of life. Forcing a child to raise a child does not exhibit a respect for creation, but merely extends a lower quality of life to two persons

instead of enhancing that quality for one. In accordance with Utilitarianism, the happiness of one is more valuable than the unhappiness of two.

The case of Mainumby's rape and impregnation is a troubling one, and can certainly be argued repeatedly from various sides, with each arriving at logical conclusions. From the ethics of Christianity and Utilitarianism, though, we can conclude that abortion would have been a moral option for Mainumby. Post-incest abortion would have promoted utility for all (both directly and indirectly involved), as well as exhibiting the intrinsic worth of Mainumby's humanity. Sadly, as United Nations reports have shown, cases such as this one happen repeatedly in developing countries, with the outcome frequently that of suffering, hardship, and complication for many. The stringent laws of Paraguay are not helping these situations; rather than trying to control the number of adolescent mothers, they reject abortion on religious grounds. The Paraguayan government need not legalize all abortion; they do, however, need to focus on helping their people live fuller, healthier lives, especially those revering from traumatic events such as incest. Perhaps a logical conclusion for Paraguay would be an adjustment of their ideologies so that abortion can come into consideration when the mother's health (rather than life) is at risk, whether the potential damage is emotional or physical. Considering Christian and Utilitarian Ethics, this could be implemented in an ethical manner and enhance the overall utility of all, with respect to the quality and value of human life. The matter of Mainumby's case was settled when she was denied an abortion outright; however, thousands of futures can still be positively impacted by reevaluation within the abortion debate.

## Works Cited

- "Fetus Definition." *MedicineNet*. MedicineNet, 19 Mar. 2012. Web. 24 Jan. 2016.
- Guevara-Rosas, Erika. "Lucky To Be Alive – Despite Paraguay's Restrictive Abortion Laws." *Human Rights Now*. Amnesty International, 14 Aug. 2015. Web. 21 Jan. 2016.
- Hanna, Jason, and Rafael Romo. "Group Presses Paraguay to Allow Abortion for Raped Girl, 10." *CNN*. Cable News Network, 4 May 2015. Web. 21 Jan. 2016.
- Harrison, Beverly W. and Shirley Cloyes. "Theology and Morality of Procreative Choice." *Moral Issues & Christian Responses*. Eighth Edition. Ed. Patricia Beattie Jung and L. Shannon Jung. Minneapolis: Fortress Press, 2013. 355-62. Print.
- Izadi, Elahe. "Denied an Abortion, 11-year-old Rape Victim in Paraguay Gives Birth." *Washington Post*. The Washington Post, 14 Aug. 2015. Web. 21 Jan. 2016.
- "'Motherhood in Childhood,' New UN Report, Spotlights Adolescent Pregnancy." *UN News Center*. UN, 30 Oct. 2013. Web. 21 Jan. 2016.
- Nathanson, Stephen. "Act and Rule Utilitarianism." *Internet Encyclopedia of Philosophy*. Internet Encyclopedia of Philosophy, n.d. Web. 23 Jan. 2016.
- O'Brien, Jon. "Nuances in Christian Teachings." *Washington Post*. The Washington Post, 25 Jan. 2016. Web. 06 Feb. 2016.
- Romo, Rafael, and Sanie Lopez Garelli. "11-year-old Rape Victim Gives Birth in Paraguay" *CNN*. Cable News Network, 14 Aug. 2015. Web. 21 Jan. 2016.
- Storck, Susan, and Bethanne Black. "Fetal Development." *University of Maryland Medical Center*. Ed. David Zieve. University of Maryland Medical Center, 30 Sept. 2013. Web. 24 Jan. 2016.
- "Teenage Motherhood in Latin America and the Caribbean." *Challenges* 4 (Jan. 2007): 2-12. *UNICEF*. UNICEF. Web. 6 Feb. 2016.
- The Holy Bible*. New International Version. Biblica, 2011. *BibleHub.com*. Web. 24 Jan. 2016.

Thistlethwaite, Susan Brooks. "Pregnancy from Rape Is Not 'God's Will.'" *OnFaith*. FaithStreet, 24 Oct. 2012. Web. 06 Feb. 2016.