



# History of Abortion

## Prehistory to 5th century

Abortion was a common practice in the ancient world. Evidence suggests that late-term abortions were performed in a number of cultures.

The first recorded evidence of induced abortion is from the Egyptian Ebers Papyrus in 1550 BC.

A Chinese record documents the number of royal concubines who had abortions in China between the years 500 and 515 BC. One way Chinese women induced abortion was to swallow a number of live tadpoles days after they had missed a menstrual period in the hope of bringing on an abortion.

Many of the methods employed in early and primitive cultures were non-surgical. Physical activities like strenuous labor, climbing, paddling, weightlifting, or diving were a common technique. Others included the use of irritant leaves, fasting, bloodletting, pouring hot water onto the abdomen, and lying on a heated coconut shell.

## References in classical literature

In ancient Rome and Greece, abortion was practiced frequently, often used to control family size. There were also opposing voices, though. The early philosophers argued that a fetus did not become formed and begin to live until at least 40 days after conception for a male, and around 80 days for a female. The philosopher Aristotle wrote:

“...when couples have children in excess, let abortion be procured before sense and life have begun; what may or may not be lawfully done in these cases depends on the question of life and sensation.”

Aristotle thought that female embryos developed more slowly than male embryos, but made up for lost time by developing more quickly after birth.

There were no laws against abortion in the Roman Republic and early Roman Empire, as Roman law did not regard a fetus as distinct from the mother's body, and abortion was frequently practiced to control family size, to maintain one's physical appearance, or because of adultery.

Much of what is known about the methods and practice of abortion in Greek and Roman history comes early classical texts.

## **Hippocratic Oath**

The Oath is part of the Hippocratic Corpus by Hippocrates, the Greek physician. While the Oath forbids the use of medicines to induce abortion, it did not prohibit abortion.

## **Soranus' *Gynecology***

Soranus, a 2nd century Greek physician, recommended abortion in cases involving health complications as well as emotional immaturity, and provided detailed suggestions in his work *Gynecology*. Enemas, fasting, and bloodletting were prescribed as safe abortion methods, although Soranus advised against the use of sharp instruments to induce miscarriage. He also advised women wishing to abort their pregnancies to engage in energetic walking, carrying heavy objects, and riding animals.

## **Natural Abortifacients**

Soranus offered a number of recipes for herbal bathes, rubs, and medicines. In *De Materia Medica Libri Quinque*, the Greek pharmacologist Dioscorides listed the ingredients of a drink called "abortion wine."

Pliny the Elder cited the refined oil of common rue as a potent abortifacient. Serenus Sammonicus wrote of a concoction which consisted of rue, egg, and dill.

Birthwort, an herb used to ease childbirth, was also used to induce abortion. Galen included it in a potion formula in *de Antidotis*, while Dioscorides said it could be administered by mouth, or in the form of a vaginal medicine also containing pepper and myrrh.

## **Christian texts**

In contrast to their pagan environment, Christians generally shunned abortion, drawing upon the Bible and early Christian writings such as the Didache (circa 100 A.D.), which says: "... thou shalt not murder a child by abortion nor kill the infant already born." Saint Augustine believed that abortion of a *fetus animatus*, a fetus with human limbs and shape, was murder. However, he could neither deny nor affirm whether such unformed fetuses would be resurrected as full people at the time of the second coming. Augustine said the following:

"And therefore the following question may be very carefully inquired into and discussed by learned men, though I do not know whether it is in man's power to resolve it: At what time the infant begins to live in the womb: whether life exists in a latent form before it manifests itself in the motions of the living being. To deny that the young who are cut out limb by limb from the womb, lest if they were left there dead the mother should die too, have never been alive, seems too audacious."

Tertullian, a 2nd and 3rd century Christian theologian, also described surgical implements which were used in a procedure similar to the modern dilation and

evacuation. One tool had a "nicely-adjusted flexible frame" used for dilation, an "annular blade" used to curette, and a "blunted or covered hook" used for extraction. The other was a "copper needle or spike".

Tertullian's description is prefaced as being used in cases in which abnormal positioning of the fetus in the womb would endanger the life of the pregnant women. Saint Augustine, in *Enchiridion*, makes passing mention of surgical procedures being performed to remove fetuses which have expired in utero. Aulus Cornelius Celsus, a 1st century Roman encyclopedist, offers an extremely detailed account of a procedure to extract an already dead fetus in his only surviving work, *De Medicina*.

In Book 9 of *Refutation of all Heresies*, Hippolytus of Rome, another Christian theologian of the 3rd century, wrote of women tightly binding themselves around the middle so as to "expel what was being conceived."

The Old Testament has several legal passages that refer to abortion, but they deal with it in terms of loss of property and not sanctity of life.

The status of the fetus as property in the Bible is shown by the law that if a person causes a miscarriage they must pay a fine to the husband of the woman, but if they also cause the woman to die then they are liable to be killed.

The New Testament doesn't explicitly deal with abortion.

### **5th century to 16th century**

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

The technique of massage abortion, involving the application of pressure to the pregnant abdomen, has been practiced in Southeast Asia for centuries. One of the bas reliefs decorating the temple of Angkor Wat in Cambodia, dated circa 1150, depicts a demon performing such an abortion upon a woman who has been sent to the underworld. This is believed to be the oldest known visual representation of abortion.

Japanese documents show records of induced abortion from as early as the 12th century. It became much more prevalent during the Edo period, especially among the peasant class, who were hit hardest by the recurrent famines and high taxation of the age. Statues of the Bodhisattva Jizo, erected in memory of an abortion, miscarriage, stillbirth, or young childhood death, began appearing at least as early as 1710 at a temple in Yokohama.

Physical means of inducing abortion, such as battery, exercise, and tightening the girdle — special bands were sometimes worn in pregnancy to support the belly — were reported among English women during the early modern period.

But through much of Western history abortion was not criminal if it was carried out before 'quickening'; that is before the fetus moved in the womb at between 18 and 20 weeks into the pregnancy. Until that time people tended to regard the fetus as part of the mother and so its destruction posed no greater ethical problem than other forms of surgery.

In terms of the Catholic Church, their stance changed over time.

In 1140, the monk John Gratian completed the *Harmony of Contradictory Laws* which became the first authoritative collection of Canon law accepted by the Church. It concluded the moral crime of early abortion was not equivalent to that of homicide. By 1395, the Lollards, an English Protestant group, denounced the practice of abortion in The Twelve Conclusions of the Lollards.

In 1487, the *Malleus Maleficarum (The Hammer of Witches)*, a witch-hunting manual, was published in Germany. It accused midwives who perform abortions of committing witchcraft.

Then in 1588, Pope Sixtus V aligned Church policy with St. Thomas Aquinas' belief that contraception and abortion were crimes against nature and sins against marriage.

## **17<sup>th</sup> century to the present**

Māori who lived in New Zealand before and at the time of colonization terminated pregnancies via miscarriage-inducing drugs, ceremonial methods, and girding of the abdomen with a restrictive belt.

Nineteenth century medicine saw advances in the fields of surgery, anesthesia, and sanitation, in the same era that doctors with the American Medical Association lobbied for bans on abortion in the United States and the British Parliament passed the Offences Against the Person Act.

Various methods of abortion were documented regionally in the nineteenth and early twentieth centuries. A paper published in 1870 on the abortion services to be found in Syracuse, New York, concluded that the method most often practiced there during this time was to flush inside of the uterus with injected water. The article's author, Ely Van de Warkle, claimed this procedure was affordable even to a maid, as a man in town offered it for \$10 on an installment plan.

In France during the latter half of the 19th century, social perceptions abortion started to change. In the first half of the 19th century, abortion was viewed as the last resort for pregnant but unwed women. But as writers began to write about abortion in terms of family planning for married women, the practice of abortion was reconceptualized as a logical solution to unwanted pregnancies resulting from ineffectual contraceptives. The formulation of abortion as a form of family planning for married women was made

"thinkable" because both medical and non-medical practitioners agreed on the relative safety of the procedure.

In the United States and England, the latter half of the 19th century abortion became increasingly criminalized. As access to medical abortions diminished, women often sought dangerous alternatives.

English Common Law, which early American laws were based on, agreed that abortion was a crime after 'quickening,' the first sensation of fetal movement felt by the mother, usually occurring between four and five months of pregnancy. Quickening marked the point at which the fetus was considered separate and fully alive, which provided the only absolute assurance that a woman was pregnant.

In 1803 English Statute Law made abortion after quickening a crime that earned the death penalty, but a less serious crime before that, and by 1837 English law abolished the significance of quickening, and also abandoned the death penalty for abortion.

According to the Oxford English Dictionary, to "quicken" means "to reach the stage of pregnancy at which the child shows signs of life."

British legal scholar William Blackstone explained the subject of quickening in the eighteenth century:

“Life ... begins in contemplation of law as soon as an infant is able to stir in the mother's womb. For if a woman is *quick* with child, and by a potion, or otherwise, killeth it in her womb; or if any one beat her, whereby the child dieth in her body, and she is delivered of a dead child; this, though not murder, was by the ancient law homicide or manslaughter. But at present it is not looked upon in quite so atrocious a light, though it remains a very heinous misdemeanor.”

In 1821, Connecticut passed the first law in the United States to restrict abortion. It prohibited the use of a toxic substance to cause a miscarriage after "quickening." A number of other states followed.

This started the debate around the world about when exactly life begins.

In 1854, the Catholic Church formally accepted the principle of the Immaculate Conception, which held that Mary, the mother of Jesus, was without original sin at the moment she was conceived. The theory's inference that human life started at conception rather than at birth provided the basis for later arguments about human life's beginning.

In 1861, the British Parliament passes the Offences Against The Person Act which outlawed abortion. The Catholic Church backed this decision.

In 1869, Pope Pius IX declared that abortion under any circumstance was gravely immoral, and that anyone who participated in an abortion in any material way had by

virtue of that act excommunicated themselves from the Church. With this abortion ban, the Catholic Church deemed abortion not just a sin, but homicide.

In the 1920s English law added a get-out clause that stopped abortion being a crime if it was "done in good faith for the purpose only of preserving the life of the mother."

This change officially recognized a little-stressed feature of anti-abortion laws; they were often intended to protect women from a dangerous medical procedure, and not to protect the life of the fetus.

Dr. Evelyn Fisher wrote of how women living in a mining town in Wales during the 1920s used candles intended for Roman Catholic ceremonies to dilate the cervix in an effort to self-induce abortion. Similarly, the use of candles and other objects, such as glass rods, penholders, curling irons, spoons, sticks, knives, and catheters was reported during the 19th-century in the United States.

In 1938 the important British case of *R v Bourne* decided in favor of an abortion performed on a 14 year old girl who had been raped - the court felt that the girl's mental health would have suffered had she given birth - and this established that the mother's mental suffering could be sufficient reason for an abortion.

The judge (Mr. Justice Macnaghten) put it like this:

“...if the doctor is of the opinion, on reasonable grounds and with adequate knowledge, that the probable consequence of the continuance of the pregnancy will be to make the woman a physical or mental wreck, the jury are entitled to take the view that the doctor ... is operating for the purpose of preserving the life of the mother.”

And the principle the judge set down in that case governed British thinking about abortion for nearly 30 years.