

The Perception of the Unborn in the Diverse Sub-cultures of the United States of America

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INTRODUCTION: The Unsolved Problems

When I started researching the perception of the child in its mother's womb over thirty years ago, I had no difficulty defining the topic. When I published my book on that subject (von Raffler-Engel 1994) the topic had become more complex but it was still definable. Presently, in 1996, some of its aspects are extremely difficult to delineate and almost impossible to define.

Throughout the centuries there was a clear difference between abortion and infanticide. Some cultures allowed for abortion while infanticide was considered a crime. Others legally recognized infanticide but did not practice abortion. Now, in the United States we have legal abortion while infanticide is considered murder, but between the two legal extremes we have "partial birth abortion." A viable fetus can be extracted from its mother's womb either through induced labor or by surgical intervention. If the fetus has fully emerged, killing it would be considered infanticide and punishable. If the head of the fetus remains inside, either naturally or through outside constraints, the fetus can be legally killed under the lawful protection of the mother's right to abortion.

In the American culture this blurring of the distinction between abortion and infanticide is highly controversial and amply debated in the press. I have not yet had time to research how it is perceived in other cultures and whether the perception varies among the sub-cultures of the United States. While the moral and legal implications are open to debate, the issue per se is clearly definable.

An issue that is extremely difficult to define is the difference - and even whether one exists - between a "living cell" and an embryo in utero. Infertile couples may be able to have a child only through in vitro fertilization. To obtain

results it is necessary to produce more than one fertilized egg. Once the procedure is successful, there arises the problem of what to do with the surplus fertilized eggs frozen in their petri dishes.

One question is that of defining the legal status of the content of the petri dish. While nobody assigns personhood to the male semen even though it moves and has a definite direction, some people consider the fertilized egg in a petri dish the legal equivalent of an embryo inside the mother's uterus. They equate the defrosting and consequent destruction of the excess eggs in their petri dishes with the abortion of an embryo living inside its mother.

The second question is to determine who has the right to decide the fate of these living cells. When unclaimed, do they belong to the hospital and can the hospital then decide what to do with them? There are no federal laws governing the disposal of this "living inventory" (Clabby 1966). When clearly identified, do they legally belong to their procreators? And what action should be taken if the parents disagreed?

An extremely complex legal issue came up recently. After years of trying, when a couple had finally produced in vitro offspring, they decided to divorce and the woman remarried. The mother wanted to conceive but the divorced father did not want a child that would be raised by another father away from him. The court ruled in favor of the father and the contents of the petri dishes were destroyed.

So far, no organized group has proposed to keep these living cells frozen in perpetuity, but the problem is how these cells will be disposed of once they are no longer alive. A cardinal has suggested they be given a burial. I tend to agree with him because it is very simple to do and offends nobody. I do disagree with religious groups that suggest in vitro fertilization be suspended. So far, government funding for in vitro fertilization has been curtailed and this I find very regrettable. It is true that there are many children in need of adoption and I wish the regulations for adoption procedures were simplified; but I also strongly believe that people have a right to their own offspring and are entitled to whatever it takes to fulfill their legitimate desire.

In addition of the three problems just listed, there is a fourth one which is financial. It has two parts. One is how much of the taxpayers' money should go towards fertility research when there is a constant need for increased funding for research in cancer, AIDS, and other illnesses affecting millions of Americans and people world-wide.

The second aspect of this financial problem is even more difficult to solve. In vitro fertilization is very expensive and few people can afford it on their own even when they are ready to borrow money on a long-term loan. How far beyond the simple administration of fertility drugs can reasonably be expected to be paid for by

health insurance companies? Should people on welfare that get free medical care be provided with the in vitro option at government expense? People on Medicare are obviously beyond the childbearing age. But is there an age limit for in vitro fertilization? Not to mention that a sixty-five year old man on Medicare could marry a young woman. What about Medicaid?

All these problems await a solution albeit it is doubtful there ever will be unanimity. I have listed them in the beginning because my article deals with the perception of the unborn. Not too many years ago this seemed an unequivocal title. It was problematic to decide when personhood begins, but life - low grade, vegetative, or whatever it might have been called - was said to begin at conception.

Now the question arises on whether life can begin at fertilization outside the womb. The gestational age of an embryo is dated from when it was conceived. The gestational age of an embryo that originated in a petri dish is calculated from when it was transplanted in a womb, not from when it was created in the dish. As far as I can see, this should never create a problem. We have birth certificates, not conception certificates. But nothing is simple. In the Middle Ages there sometimes was a question of whether the heir to the title was the first born in absolute order or whether consideration should be given to the one "conceived in the purple," that is the one born after the father was crowned even if this child was not the one born first among all the children.

The most recent entry in the ethical discussion is the use of the "Morning After Pill" which after a number of years of use in France has now been approved in the United States. The pill induces a miscarriage in the very earliest stage of pregnancy when the embryo does not yet have any recognizable human form. The piece of flesh and blood that is expelled, if left undisturbed, would have grown to become a normal baby. Unlike the frozen embryo in a petri dish, this embryo does not need any external intervention to live and develop normally.

Albeit it is sometimes called a Late Contraceptive, this pill is not a contraceptive because it does not prevent the formation of an embryo. It is a form of abortion. Its supporters distinguish it from other forms of abortion because at this early stage the embryo does not yet possess a nervous system that would make it possible for it to feel pain. The people that object to its use say that we are not allowed to kill, whether the death we cause is painful or not. My article will not deal with this problem because it is too recent to have been extensively discussed in the political arena and many people do not yet even know about it.

A problem that appears to be exposed to less discussion now than previously regards the use of fetal tissue for medical purposes. As there is nothing new to add to what I have previously reported (von Raffler-Engel 1994, p. 101-104, 126), I will not deal with it here. Of course the problem still exists. I recently met a Catholic

man who said that if it were to save the life of a child of his he would not allow for the use of tissue from an abortion albeit he would utilize tissue from a spontaneous miscarriage. Funding for medical research has been curtailed. Albeit, as there is still more availability of aborted fetuses than demand for their tissues, abuses still do not appear likely. But, of course, they cannot be ruled out entirely.

A real problem that is much discussed currently and which has far-reaching implications is the legal status of the fetus. The earliest mention of the fetus as a legally definable person on its own is in Exodus (XXI, 22) which states that if a woman miscarries because she is accidentally injured by two men fighting among each other, the man who caused the loss of the fetus shall be fined and "he shall pay as the judges determine."

In American law, there is no definition of the status of the child before it is born except by implication as the mother has the right to kill it if she wishes to terminate her pregnancy. In recent years arguments have been made for the right of the father to have a say in the matter, but nothing has been officially codified. More recently there have been cases in the courts when a party sued for "wrongful death" against a man who caused a fetus to be mortally injured. A short and clear treatment of this legal debate can be found in the Wall Street Journal (McMorris 1996).

This article also shows the gradual increase in the legal status of the fetus and points out the apparent contradiction when somebody who causes the death of a fetus can be accused of killing while the mother has the full rights to kill her fetus even when it is viable and partially born. The Ancient Romans showed any offspring to the pater familia who then decided whether the child was to live or to die. Infanticide was practiced by exposure.

Infanticide is clearly condemned in the American legal system. There is, however, a hazy area when a decision has to be made on the adoption or withholding of heroic measures for a newborn destined to die under normal circumstances. It is ill defined who is empowered to make such decisions.

Concerning the fetus, we are gradually coming to a legal definition of its rights. As the author of the article mentioned above puts it: "Courts give fetuses more rights." The line to be drawn was the age of the fetus which determines its viability. But the age of viability is constantly decreasing because of medical advances.

An even more complicated legal issue sometimes is posed by the difficulty to determine what exactly caused the miscarriage. The law also lends itself to abuses where a woman may induce a miscarriage in order to blame somebody else for monetary gain. As the Wall Street Journal article points out that some civil defense lawyers worry that the extension of legal rights is likely to continue. And because miscarriages occur in 10% to 15% of all pregnancies, the number of potential

wrongful death suits could be huge. Proving direct cause-and-effect could be an extremely high hurdle in many cases, as the cause of a miscarriage can be difficult to determine. The time and expense involved in wrongful death cases might cause an increase in insurance premiums and possibly the exclusion of coverage of such claims. All this at a time when health insurance is already trying to reduce benefits.

More frequently than before we now see on television about babies that are born with severe deficits because their mothers were addicted to drugs or alcohol. Until recently pregnant women were advised not to use drugs or alcohol and, if they were poor, their sick babies were taken care of at public expense. The most recent television coverage, on September 5, 1996, opened a crucial debate by asking whether pregnant women who do not refrain from alcohol and substance abuse can be held responsible for their baby's deficiencies. They might be held legally accountable for the harm that they caused to their child and, if the newborn dies during delivery or shortly thereafter, they could be accused of murder and possibly face the death penalty.

The mother's liability, beyond a stillborn child, would also extend to the miscarriage of a fetus of viable conceptual age. The television commentator brought out the paradox of a mother who could legally abort her child but would be punished if the child is miscarried because of her intoxicated status.

Discussions about the legal responsibility of the pregnant woman toward the child she carries point to an increasing awareness of the fetus as a separate human being with rights of its own, recognized as an individual persona, separate from it's mother, inside of her, as it may be, but not merely a physical part of her. Whether the fetus will obtain legal recognition of its constitutional rights as a persona remains to be seen. Opinions are divided. It will be interesting to see what stand the Civil Liberties Union will take. This organization is at the forefront of the protection of individual rights and at the same time favors a woman's right to have an abortion.

As far as I am concerned, I welcome all these discussions because once parents start thinking of their offspring as a person before it is born, they will be more willing to interact with the fetus, speaking to it, caressing the maternal abdomen, playing music and singing. They may realize that indeed "enculturation begins before birth" (von Raffler-Engel 1993).

When I researched various cultures for my book on the perception of the unborn (von Raffler-Engel 1994), I became aware of the complexity of the meaning to be covered by the words "culture" and "subculture." I defined them as follows: "Culture is a composite of religion, family and family descent, social class, education, political and social status, the physical environment, and even the memory of customs which are no longer observed. It is the sum of all patterns of

behavior which are not biologically transmitted. Some forms of culture are taught to the young, but the majority is absorbed through participant observation." (ibid p. 97).

The subject is complex because the many sub-cultures of each culture share sets of common features on their own. To this I may add the concept of multiculturalism, so well defined by Holmes (1996, p. 130). This author suggests that we examine "the relation between multi-culturalism and other forms of pluralism (the pluralism of profession, classes, localities, and clans, or the pluralism of social sectors: economy, politics, religion, family, science, art, education, law, entertainment, and so forth ... The rise and spread of non-cultural pluralism - along with literacy, industrialization, and migration from the countryside to the city - have contributed a good deal . . . to the weakening of family influence and inherited cultural identity."

The American Culture

There is very little one can say about how Americans consider the unborn child as opinions may vary depending on their sub-cultures. The one unifying element is that all Americans freely express their opinion, and debates are open and are generally conducted on reasonable arguments. Few people state that they have not formulated an opinion. Politicians tend to say what they think will get them votes. I do not know of other countries where the issue of abortion is so hotly debated and where one sees people marching either under flying banners for Pro-Choice or equally waving banners for Pro-Life. Outside the United States, people think it is absurd that politicians have to declare their stand on abortion. It is considered a private matter and not extensively discussed in public. It is also not thought to be related to a politician's stand on how to govern.

In America, beyond the broad acceptance of the issue of abortion as a matter of public debate, opinions vary greatly - as do the passions with which such opinions are defended. The public concern and the vehemence that goes into the debates over abortion appear to be peculiarly American to Asians and Europeans. To ask every political candidate how he/she stands on abortion is something Europeans find absolutely bizarre.

How do Americans perceive of the human fetus? The answer really is, they hardly do. Where other cultures have legends about the children in the womb, Americans seem not to think much about the life of the fetus except in strictly physical terms, viz. mainly in what the mothers would eat to help her expected child to grow healthy. There is also much concern for the mother to exercise in a manner to help her have an easy delivery.

Women's magazines are full of advice on how to develop the intelligence of the child by reading to him/her at a very early stage, by interacting with him/her soon after birth and creating a congenial family environment. I surveyed American women's magazines for a year and found absolutely nothing about the need to stimulate the child before it is born (von Raffler-Engel 1996.) There are, nevertheless American women who interact with the child in their womb by caressing their abdomen, talking to the fetus and exposing it to music. These mothers seem to be restricted to the intellectual stratum of society. Some obstetricians advise pregnant women to interact with their child but not all women accept such advice. Some even told me that they tried to speak to their fetus but felt foolish. In intellectual families, on the contrary, the entire family sometimes participates in singing and speaking to the fetus and exposing it to music. Some fathers, in particular, are very actively involved in the early education of their child.

Paradoxically, the intelligentsia which appears at the forefront when it comes to recognizing the learning capabilities of the child before it is born is the group to speak the loudest in defense of "a woman's right to her body." The unborn child is not considered a separate human being but part of the mother's body, as it were a tumor. Intelligent, wealthy women that used to assist poor families to keep their children fed, now find virtue in helping pregnant girls getting an abortion as "there will always be a few girls who get pregnant - and if you make abortion illegal, they may pay for that mistake for the rest of their lives," (Tapert 1996, p. 117). Abortion is considered a simple surgical "procedure," (ibid. p. 158).

Some psychologists believe that the trauma of giving a child up for adoption is greater than having it aborted because the latter is a one-time event that is conclusive. Research about women being haunted for the rest of their lives after having an abortion is not conclusive because there are also many women for whom the "procedure" is a one-time event with no consequences. Robin Duke, president emerita of the National Abortion Rights Action League, had two children, then aborted an unplanned pregnancy that came at an inconvenient time, and later had another healthy child, (Tapert 1996, p. 117). These matrons appear to be in perfect good faith when they help the poor to obtain a safe abortion. Somehow, they never seem to think of the physical pain the aborted fetus has to endure. The feeling of pain is documented beyond the fact that brain waves can be recognized as early as ten weeks of conceptual age (Bergstorm 1969) because a "premature infant responds to operative surgery, if analgesics are withheld, in the same way as adults," (Dawes 1988, p. 543).

Religion in America

Religion in America is also full of paradoxes. Most Catholics support Right to Live organizations, but there is also a very vocal group of "Catholics for Choice." Orthodox Jews are opposed to abortion except when the mother's life is at stake while liberal Jews allow for abortion under less stringent circumstances. Muslims strongly condemn abortion but when the family honor is at stake they may resort to it. Protestants vary depending on the denomination. The Greek Orthodox do not allow abortion except to save the mother's life. Hinduism strongly condemns abortion. I could not find data on the Hindu adherents living in the United States, but in India girl fetuses are aborted in great numbers. Buddhism does not allow abortion and American Buddhists are ambivalent. Women practice abortion when they feel it is needed but hope the dead embryo will incarnate within the family and hopefully even in their next child. In Japan, aborted fetuses have burial markers and their mothers adorn them with baby clothes. I have not seen this custom among Japanese-Americans but they do give a name to an aborted fetus so that it can be found by its ancestors. Without a name they may have difficulty getting in touch with it.

In the United States, among the religious groups, the parents most actively involved with the prenatal education of their offspring are the buddhists and the intellectuals among Christians and Jews. Native Americans cannot be considered as a coherent group with reference to religion. In any case, my data is limited. I will do further research. People who do not profess an established religion do not generally condemn abortion in the early stages of pregnancy. They are mostly receptive to suggestions for the prenatal education of their offspring.

I have only touched on the major denominations as I do not have enough data on religious groups that are small in number even though there are quite many of these.

Race and Ethnicity

Trying to look into the perception of the unborn across the racial and ethnic groups represented in the United States raises the problem of whether religion and social class may not represent a more sensible grouping than ethnicity. With the enormous gulf that has been created in the nineties between the very rich and the rest of the nation, race and ethnicity are no longer as vital indicators of differences as they were before. In any case, religion might constitute a more relevant criterion.

Hispanics tend to be generally opposed to abortion. This may be due to the fact that they are mostly Catholics and observant. They are interested in hearing about prenatal education but most women have so many children that they hardly find time to do anything.

Black people of all religions, tend generally to be adverse to abortion as a matter of principle. Even when they undergo one or urge their daughter to do so, they seem to dislike it. They appear to be receptive to the concept of prenatal education.

Asian Americans, seem to be the one group that actually practices prenatal education. I am reminded of the fact that my book sold considerably more copies in the Japanese translation than it sold in English. Abortion is not condemned socially but it is never mentioned. Asian tradition stresses education and parents are happy to begin it before the child is actually born.

White Americans vary widely, but I would say that the majority accept abortion. Only a small group of intellectuals practices prenatal education. The average working person finds it somewhat absurd. But in the hills of Appalachia where old wives' tales abound, mothers find it quite natural to interact with the child in their womb.

I cannot say anything about native Americans because I have not yet held a sufficient number of interviews with representatives of this population.

Regional Differences

In the United States, there are extensive regional differences. I once gave a very objective scholarly lecture on the subject of prenatal education at a professional meeting in New York City where I documented the sensory capabilities of the unborn child (see Appendix). I could barely finish my lecture when members of the audience started screaming at me and told me that a scholarly meeting was not the place for anti-abortion propaganda. Virtually all of these commentators, mostly women, had PhD's and were holding professorships in respected universities. I was unable to reason with them and not only because whatever I tried to say was drowned out by them. They did not present counter arguments to my medical documentation. My scientific documentation was simply thrown out as if I had invented it.

My lectures in the South were politely debated. People that asserted that the benefits of an abortion outweighed the possible pain that could be felt by the embryo did not deny my medical documentation. My lectures were followed by the normal scholarly question and answer period.

The Professions

Among the professions sociologists, as well as communication specialists, were usually receptive to the idea that the child can communicate with its mother before birth. Psychologists tended to be skeptical and I was told that the reason probably is that they mostly come from the Northeast. Anthropologists are

generally receptive to my suggestions. This I expected because they work with indigenous tribes. As I have shown in my book (von Raffler-Engel 1994), the so-called primitive people have an extensive oral literature on the active behavior of the child in the womb. Linguists, even specialists in first language acquisition, do not seem to have much interest in the subject of communication before birth.

The Political Parties

The United States is unique in that the political parties have to declare their stand on abortion. As I already said, Europeans find this incomprehensible and conceivable only within the general absurdity of American politics. They vote for a candidate's stand on labor, economics, and foreign policy, but certainly not on such "private matters" which have nothing to do with running a country.

Here I know people that were democrats all their lives and come from traditionally democratic families but who will vote for a Republican rather than for President Clinton because of the latter's stand favoring abortion. I also know people that planned to vote Republican but changed their mind because ex-Senator Dole did not guarantee freedom for abortion. Some will abstain and some will vote for the opponent of their preferred party. How many voters will ultimately make their decision dependent on the candidate's stand on abortion overriding all other political considerations - I do not know. I also do not have adequate information how party switching for this issue is affected by social class and ethnic groups, if there are any differences at all along these lines.

Conclusion

The population of the United States is more varied than that of any other countries ethnically as well as religiously. I have tried to research how these segments of society approach the controversial issue of abortion. I found that, even though ethnic and religious groups tend to differ on which side of this issue the majority of their members tend to converge, there is no single American sub-culture which is uniform and clearly distinguishable from all the others.

Within the global American culture there are two movements which take a clear stand. On the one side are the organizations that go under the heading of Pro-Choice and on the other are the ones advocating the Right-to-Life. The cleavage is largely identical to the organizations advocating the extreme forms of feminism, like NOW, the National Organization for Women and various liberal groupings. On the other side are representatives of extreme conservatism, like the Christian Coalition and adherents of various religions and ethical beliefs that see the unborn child as a human being. There are also people in all sub-cultures that have no clear-cut categorical opinion and feel that each case needs to be decided in its own right.

What my study brought out is that on many issues - and the one here examined is only one of many - the diverse sub-cultures of America are not monolithic. Given the economic realities of today, the tribal distinctions may fade and be replaced by the ever larger cleavage between the rich and the poor.

My opinion survey on the issue of abortion does not yet provide comprehensive data on comparing people according to income and potential for economic survival. From the limited data I have gathered so far, it appears that the poorer people, for whom it is more difficult to feed another child, are less inclined to resort to abortion than women in comfortable financial situations. It is not clear to me whether the greater ease in finding adequate medical facilities for terminating a pregnancy is the determining factor favoring the wealthy or whether the poor have a greater attachment to their child. It might simply be that among the poor, becoming a mother lends prestige whereas among the wealthy for a young girl to become pregnant has neither a positive nor a negative connotation. The wealthy also feel more obliged to spend time with their children and therefore must limit their number. Among the more educated classes there also is a greater concern not to overburden the environment with many children. Infanticide is virtually non-existent among the wealthy, whereas it does occur among the poor. As I said above, I have not yet examined this issue.

In many parts of the world, tribalism seems on the rise when one observes Bosnia, as well as the increasing delays in implementing the European Union. In America, we seem to tend more to consider our problems from new points other than ethnic and racial. At least this is what I have concluded with the brief survey just described.

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Appendix

HANDOUT

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8 weeks after conception	fully formed fetus	
9 weeks after conception	stimulus avoidance	
12 weeks after conception	brain waves can be registered	
12 weeks after conception	skin is sensitive to touch	
26 weeks after conception	can hear:	heartbeat accelerates with louder noise has jerking motions for sharp noises (like shooting)
26 weeks after conception	has taste:	distinguishes sweet from sour substanc es (injected into amniotic fluid)

26 weeks after conception

can smell

35 weeks after conception

is sensitive to light (will turn towards source of light).

inherited (instinctive)

Human behavior

learned

in utero

after birth

by osmosis

Learning

by teaching

Originally distributed during my lecture at the Third International Conference on Cross-Cultural Communication: East and West, Chen Kung University, Taiwan, 1991.

Now available in my book on the Perception of the Unborn Across the Cultures of the World (Hogrefe 1999)

