



# **HINDUISM AND ABORTION: A TRADITIONAL VIEW**

by

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## DECLARATION

The author hereby declares that the contents of this dissertation, unless specifically indicated to the contrary, are his own work, and that the dissertation has not been submitted simultaneously, or at any other time, for another degree.

RAVIN KUMAR RAMDASS



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**FOR MY LOVING PARENTS**

**RABIKISOON AND HEMRAJI RAMDASS**

## ABSTRACT

This study entitled "Hinduism and Abortion: A Traditional View" outlines what the Hindu Smriti and Shruti texts have to contribute in the abortion debate. It is important to consider what an ancient tradition, Hinduism, has to contribute with regard to a modern controversy.

The study undertakes a cursory look at bioethics and then proceeds to examine the Hindu world view and the Hindu view of the unborn. The important Hindu teachings with regard to dharma, kama, the ashrama dharma system, the samskaras and karma and reincarnation are considered in some detail. The unborn is considered not only in terms of its embryological development but also in terms of its social and spiritual significance.

This study concludes that Hinduism is opposed to abortion except in certain very specific circumstances, for example, severe congenital abnormalities in the foetus, where the continued pregnancy is life-threatening for the mother, rape and incest. The traditional Hindu standpoint is pro-life and the Hindu scriptures provide a comprehensive and multi-faceted argument against abortion. The foetus is considered sacrosanct from the moment of conception. The view arrived at in this study is that the foetus is a person with rights, and abortion is a violation of those rights. Abortion is considered to be murder. An important and salient contribution from a Hindu perspective is the fact that the foetus is a bio-psycho-socio-cosmological and spiritual being and as such the abortion debate transcends individual ethics thus raising important social and cosmological concerns.

Hinduism has much to contribute to the abortion debate and many of the Hindu teachings cited in the study are relevant for today. Celibacy, the Hindu view that the sexual act ought to be seen as a deeply spiritual act, the emphasis on the Ashrama Dharma system and ahimsa are important principles that need to be emphasized to face the challenges of the increasing demand for abortions.



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## CHAPTER ONE: INTRODUCTION

### 1.1 Introductory Remarks

This study entitled, “Hinduism and Abortion - A Traditional View” is undertaken to determine what the Hindu perspective on abortion is. It is important that this perspective is understood as Hinduism is considered to be one of “the oldest of all living religions” (Sivananda, 1988 p3) and abortion *contemporarily* is the subject of much debate. (Beauchamp & Walters, 1978 p187)

When one considers the issue of abortion, two opposing points of view seem prominent. There are two well documented viewpoints on the issue of abortion: the pro-choice view and the pro-life view and these juxtaposed positions on the issue raise several important ethical dilemmas. This study therefore considers it interesting and important that consideration be given to what Hinduism has to offer in this debate on abortion and the pro-abortion view.

As this study considers the Hindu perspective on abortion, it is important to elucidate what is meant by Hinduism and what is meant by the term abortion.

### 1.2 Hinduism: Definition

In the context of this study, a brief definition of the term “Hinduism” is discussed.

As mentioned above, Hinduism is considered to be one of the oldest religions: “Hinduism is the religion of the Hindus, a name given to the Universal Religion which hailed supreme in India.” (Sivananda, 1988 p3) “Hinduism is the dominant religion of the vast Indian sub-continent, and since the beginning of its history has profoundly influenced the lives and thoughts of countless millions of the Indian people from the cradle to grave.” (Nikhalananda, 1982 p19)

Sivananda, in defining Hinduism, points out the timelessness of this religion and goes on to suggest that it is the source of all religions: “Hinduism is as old as the world itself. Hinduism is the mother of all religions. Hindu scriptures are the oldest in the world.” (Sivananda, 1988 p4)

This assertion that Hinduism is one of the oldest religions is emphasized as the debate on the question of abortion is a fairly recent one and it is therefore interesting to consider how one of the oldest religions of the world approaches this fiercely debated issue as affirmed by Rosenfeld and Kunnes: "No single health-related issue today engenders more controversy, debate and even violence than does the topic of abortion." (Rosenfeld & Kinnes, 1994 p129)

Hinduism is also known by the names *Sanatana Dharma* and *Vaidika-Dharma*. *Sanatana Dharma* means eternal religion. *Vaidika Dharma* means the religion of the *Vedas* which are the foundational scriptures of Hinduism. (Sivananda, 1988 p 4)

\*Not being a historical religion like Buddhism, Christianity, or Islam, each of which has been articulated by the teachings of its individual founder, Hinduism baffles all attempts to give it an easy and convenient definition; the truths of the Hindu scriptures, the *Vedas*, were not formulated by historical persons. Moreover, the universal nature of Hinduism frustrates any endeavour to confine it in exact statement; the *Vedas* preach an impersonal reality as ultimate truth, and not the Personal God, though they make room for such a God and for other divinities. (Nikhalananda, 1982 p21)

The insight provided by Andrew Wilson into Hinduism is deemed interesting and necessary as the concepts he elucidates will underlie much of the discussion in the later chapters.

If one might hazard a list of common features of Hindu faith and practice, it might include: (1) Brahman or Ultimate Reality is both personal and impersonal and appears in many forms; (2) it is accessible through a variety of paths (*margas*): knowledge (*jnana yoga*), devotion (*bhakti yoga*), and action (*karma yoga*) and (3) it is realized by those sages who have attained union or communion with that Reality. (4) On the other hand, creation and the phenomena of worldly life are temporal and partial; they conceal the total Truth and its realization. (5) Hindus further hold the doctrine of *karma* which says that each thought, word, and action brings appropriate recompense, thereby upholding the moral

government and ultimate justice of the cosmos; and (6) the doctrine of reincarnation, understood as a dreary round of continued suffering or a continuous series of fresh opportunities to improve one's lot. Inequality of endowment and fortune is explained as the working out of karma not as a result of some discrimination by God. Hindus also uphold (7) the authority of the Vedas; (8) the traditions of family and social life, with its four stages of student, householder, spiritual seeker, and ascetic who renounces all for the sake of spiritual progress and the welfare of all; (9) the four goals of life: righteousness (*dharma*), worldly success (*artha*), pleasure (*kama*), and spiritual freedom (*moksha*); and (10) the validity and viability of the ideal social order and its attendant duties, which have degenerated into the caste system. (Wilson, 1991 p10)

It can be argued that Hinduism is the oldest religion. However, Ninian Smart makes the observation that the word "Hinduism" is a modern invention.<sup>1</sup> The religion (or way of life) "has remarkably ancient roots, and for an ancient tradition it has acquired some remarkably new features, including the name." (Smart, 1986 p1) Furthermore, Hinduism, as explained by Nikhilananda is a "growing organism" (Nikhilananda, 1982 p21) that is able to respond from its profound reservoir of teachings to the demands of the modern day, including the issue of abortion.

### 1.3 Abortion: Definition

The Collins Concise Dictionary defines the term abort as follows: "to terminate or cause to terminate pregnancy before the foetus is viable". Further definitions include: "to fail to come to completion, to interrupt the development of, to give birth to a dead or non-viable foetus, to fail or terminate prematurely (of an organism or part of an organism), to fail to develop into the mature form." (McLeod, 1985 p3) "Abortion is defined as the expulsion of the products of

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<sup>1</sup> Sanatana Dharma is called Hindu Dharma. Hinduism is not a religion. It is a way of sages and seers who lived on the banks of the great river Sindhu. In the Zen Avesta, '*Sapta Sindhu*' becomes '*Hapta Hindu*' and later, Greeks changed 'Hind' into 'Ind'. Hindus are the people who lived on the banks of the Sindhu river. (Rangarajan, 2000 p18)

conception before the fetus<sup>2</sup> is sufficiently mature to survive. The term ‘miscarriage’ is used by the laity, to whom the word ‘abortion’ implies an intentional procedure.” (Beacham & Beacham, 1977 p324) Webster’s New World Dictionary defines abortion as “premature expulsion of a fetus so that it does not live; miscarriage.” (Guralnik, 1972 p1) Garrey et al define abortion as the “termination of pregnancy before the twenty eighth week.” (1978 p416) Clayton et al elaborate that “The terms abortion and miscarriage are synonymous and denote the expulsion of the conceptus before the twenty eighth week of pregnancy. After that date the fetus is considered viable and its expulsion is called premature labour.” (Clayton, p133)<sup>3</sup>

In considering these various definitions of abortion, it is pivotal to this study to emphasize that abortion is considered as the intentional termination of a pregnancy. This study does not concern itself with spontaneous abortions (abortions that occur without any deliberate interference with specific intent to cause the termination of a pregnancy). For the purposes of this study, the word abortion will specifically refer to the intentional termination of a pregnancy - and this is strongly emphasized.

#### 1.4 Overview of Study

In considering the Hindu perspective on abortion, specific emphasis will be placed on ascertaining the *traditional* Hindu view. This study attempts to establish the classical Hindu view on abortion and therefore very little emphasis is placed on a contemporary Hindu view as it is important to base any meaningful discussion on this issue on the foundations of the tradition. This classical Hindu view will be determined by a literary survey of both the Shruti and Smriti texts of the Hindus.

Abortion is a significant bio-ethical issue and therefore, a brief overview of the discipline of bio-ethics will be considered. As this study is grounded in Hinduism, due consideration will be given to the Hindu world view. The centrality of the foetus cannot be denied in a study of this nature and the Hindu view of the foetus will be considered. With that background, the essential Hindu

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<sup>2</sup>The preferred spelling is foetus. However, when quoting “foetus” may be spelt “fetus”.

<sup>3</sup>Date of publication unknown.



approach to the issue of abortion will be considered and finally some conclusions and recommendations will be suggested.

## CHAPTER TWO: BIOETHICS

### 2.1 Introductory Remarks

Whilst it is conceded that this study is to investigate the pronouncements of the Hindu tradition on abortion, it must be acknowledged that abortion belongs, without question, in the realm of bioethics which is a modern discipline.

### 2.2 Bioethics: An Exposition

According to Helga Kuhse and Peter Singer, (1999) “the term ‘bioethics’ was coined by Van Rensselaer Pether, who used it to describe his proposal that we need an ethic that can incorporate our obligations, not just to other humans, but to the biosphere as a whole.” They further contend that: “Although the term is still occasionally used in this sense of an ecological ethic it is now much more commonly used in the narrower sense of the study of ethical issues arising from the biological and medical sciences.” (Kuhse and Singer, 1999 p1)

“Bioethics can be seen as a branch of ethics or more specifically of applied ethics.” (Kuhse and Singer, 1999 p1) Bioethics is situated within the broader field of ethics and while it is in this field, it is clearly a sub-discipline of its own. “Ethics, understood as a philosophical discipline, can be conveniently defined as the philosophical study of morality” (Mappes and Zembaty, 1981 p1) It is different from descriptive ethics that concerns itself with the scientific study of morality. Ethics may be divided into normative ethics and metaethics. Normative ethics attempts to establish what is right and what is wrong with regard to human action while metaethics is more analytical and concerns itself with both moral concepts and moral reasoning. “Whereas descriptive ethics attempts to describe (and explain) those moral views which in fact *are accepted*, normative ethics attempts to establish which moral views are *justifiable* and *ought to be accepted*.” (Mappes and Zembaty, 1981 p2)

Bioethics is that branch of applied or normative ethics that is used to resolve ethical problems which are associated with the practice of medicine or the pursuit of medical research. It is fair

to infer that there is considerable overlap between both descriptive and normative ethics in the assessment of ethical problems.

There is scope for argument in ethics, and so too in bioethics. The example that Helga Kuhse and Peter Singer use to explain their postulate confirming that there is scope for debate is extremely apt, in the context of this study.

It seems clear that there is some scope for argument in ethics. If I say “It is always wrong to kill a human being” and “abortion is not always wrong”, then I am committed to denying that abortion kills a human being. Otherwise, I have contradicted myself, and in doing so, I have not stated a coherent position at all. So consistency, at least, is a requirement of any defensible ethical position ... . The requirement of factual accuracy sets another limit. (Kuhse & Singer, 1999 p 2)

They further add that, “In discussing issues in bioethics the facts are often complex. But we cannot reach the right ethical discussion until we are well-informed about the relevant facts. In this respect, ethical decisions are not like decisions of taste ....” (Kuhse & Singer, 1999 p2)

The other problem with bioethics is that of cultural relativism. One has to argue that this is so, “...in my culture”, “...in my country”. The approach by Hare, they (Kuhse and Singer) believe, is a more promising alternative. Hare’s contribution is that of “universal prescriptivism”, wherein something, to be ethical, must be universally acceptable.

This study also attempts to make well-founded conclusions and trusts that, although the conclusions arrived at will be supported by the Hindu scriptures as the prescribed authorities of the Hindu religion, the findings will have a universal appeal.

Furthermore, it is also arguable that this study will also provide another dimension to the debate which may in turn, lend itself to universal acceptance.

### 2.3 A Brief History of the Development of Bioethics

The development of Bioethics is recent and as its development was by and large influenced by the broader environment that medicine finds its practice in, it is necessary to consider, at least briefly, the history of the development of Bioethics as this will assist in understanding the overlap between Ayurveda (in Hinduism) and western medicine. While Ayurveda relied heavily on a holistic approach to health and disease, western medicine particularly since the advent of Penicillin is based firmly on the bio-medical approach. It will appear that western medicine is moving towards the holistic model and may thus be similar to Ayurvedic medicine in this respect.

Like so many other recent social and cultural movements, the effort to make medical ethics into a specialty of its own emerged from the campus upheavals of the 1960's. In keeping with the activist spirit of the day, many professors of philosophy decided to leave behind the historical and technical questions that had long dominated their discipline. Instead, they turned their attention to what they called - often as a euphemism for political agitation - applied philosophy, a rubric that covered, among many other things, the life-and-death problems posed by medical care. The idea, according to Daniel Callahan, one of the pioneers of bioethics, was to give philosophy "some social bite", some "relevance." (Satel, 2001 p37)

Contemporaneously, doctors were being empowered by the bio-technological revolution that brought with it the need to look at medical decision-making more systematically. The practice of medicine became more complicated and more fraught with difficult moral decisions.

Bioethics has only crystalized into a fully fledged discipline in recent times although it has old historical roots. "Only since 1970 or so have the various trappings of a relatively autonomous discipline become manifest." (Mappes and Zembaty, 1981 p3) This was a response to various developments, an idea encapsulated in the preamble to the Recommended Curriculum Guidelines in Medical Ethics for Family Practice Residents of the American Academy of Family Physicians: "As health care has become more highly technical, compartmentalized and impersonal, it

becomes apparent that certain medico-ethical considerations become more complex and difficult to resolve.” (American Academy of Family Physicians, 1997 p1) Biomedical research and the rapid development of biomedical technology as well as the increasingly complex institutional settings in which medicine is practised has brought with them the challenge of ethical considerations for the physician, the patient and the community. The Hippocratic tradition that was by and large paternalistic was suddenly challenged by the rapid explosion in biomedical research and technology and the doctor-patient relationship was under threat by the largely institutionalized nature of the practice of medicine in the nineteen sixties and seventies. Furthermore, research was being carried out on human subjects with total disregard for their informed consent and on animals often ruthlessly. This led to the establishment of the Institutional Board system (1967) by the National Institutes of Health (NIH) in the United States of America.

The impact of recent biomedical research and technology has given rise to new and historically unprecedented ethical questions. Furthermore, new dimensions to old problems have arisen. The developments in reproductive technology including in vitro fertilization, cloning, abortion, genetic engineering and the mapping of the human genome are just some examples of the new ethical minefield physicians and patients dabble in. The advent of respirators and dialysis machines, the claim by physicians to be able to cause “painless death” all challenge the human mind to find ethical answers to difficult problems. The advent of the scourge of the twenty first century in the form of the Auto-Immune Deficiency Syndrome epidemic has in itself demanded a close and deeply philosophic examination by the medical fraternity, philosophers, sociologists and the community at large.

The advent of large and more specialized and more sophisticated institutions to treat the sick has blurred the boundaries of the erstwhile doctor-patient relationship. The traditional doctor who, bag in hand, sat at the bedside of a patient within the confines and comfort of his home has now become a technocrat treating patients in the midst of the sophistry of gadgets and machines. The traditional doctor-patient relationship is gradually but surely haemorrhaging. The advent of medical aids, medical schemes, managed health care and national health schemes all challenge the autonomy of the doctor and interfere with the doctor-patient relationship. The involvement

of big business in health care has transformed the sanctity of the doctor-patient relationship into another money making machine. These developments by their very nature solicit various ethical dilemmas.

Coupled with these changes, there have been various societal developments that have heightened the need for the discipline of bioethics. Patients and the general public were becoming more aware of health and health related matters. People became more health conscious and became more confident in asking questions related to their health as the paternalistic doctor-patient relationship changed into a partnership of somewhat equal partners. The popular slogans of transparency and accountability were applied to the medical field also. Whilst, in earlier times, questioning the authority of the doctor was unheard of, the heightened public awareness of the fallibility of doctors and the ever increasing litigation against doctors led to the demand for higher standards of treatment. The doctor- patient relationship was not a restricted area anymore; people were prepared to transgress the perceived limits and delve further into medical matters.

The rapid changes in bio-medical research and bio-medical technology, the increasing complexity of the institutionalization of medical care and new and different societal demands particularly since the mid-nineteen sixties presented unprecedented ethical challenges and this has led to the crystallization of bioethics as a distinct discipline in ethics. "As a result of these various developments, the 1960's and 70's witnessed a remarkable burst of institution-building among self-proclaimed bioethicists and their medical collaborators." ( Satel, 2001 p39) Importantly, the Daniel Hastings Centre for Bioethics, the Kennedy Institute of Ethics and the Society for Health and Human Values in the United States, representing the pioneer bioethic institutes in the United States, were formed. "Today, the bioethics 'industry' as insiders do not blush to call it, is booming. Some 50 universities in the U.S. now have academic centers focussing on medical ethics, and many more provide courses on the subject as part of their offerings in the humanities." (Satel, 2001 p39)

Recent advances in bioethics include the emerging focus on the quality of end of life care and how to improve it, decreasing medical error in matters that have strong ethical overtones, improving accountability for reasonableness and making fair and legitimate decisions, reaching

consensus with regard to stem cell research, “eHealth” and global bioethics and the inclusion of bioethics in medical curricula. (Singer, 2000 pp282-5) It is therefore clear that the frontiers of bioethics are ever-expanding as the need to make morally correct decisions hangs heavily on the shoulders of all those who practice in the noble profession of medicine.

## 2.4 Bioethics and Abortion

Six philosophers in the science of bioethics, John Finnis, Michael Tooley, Judith Jarvis Thompson, Don Marquis, R. M. Hare and Laura M. Purdey who have contributed to a debate on bioethics have provided meaningful insights into bioethics and “life” before birth, which have relevance for this study.

The contribution of John Finnis, entitled “Abortion and Health Care Ethics”, points out how universally acceptable principles can result from an ethical reflection on bioethics.

If the unborn are human persons, the principles of justice and non-maleficence (rightly understood) prohibit every abortion; that is every procedure or technical process carried out with the intention of killing an unborn child or terminating its development. ... The right understanding of those principles, in the context of the “four principles” (i.e. autonomy, beneficence, non-maleficence and justice), is sketched in ... “Theology and the Four Principles: A Roman Catholic View 1”, but the considerations which I set out ... in no way depend on Catholic Faith; they are philosophical and natural-scientific considerations valid and in my view properly decisive for everyone, quite independently of any religious principles. (Finnis, 1999 p13)

Beauchamp and Walters also discuss beneficence, justice and they add *the right to self determination* (autonomy). (Beauchamp & Walters, 1978 p51)

In a comprehensive examination of the concept of “Personhood - When it Begins?”, Finnis concludes:

Of course, our imagination balks at equating the intelligent adult with a one-hyphen cell zygote smaller than a full stop and weighing only 2mg. But imagination also balks at differentiating between a full term child just before birth and just after birth. And *reason* can find no event or principle or criterion by which to judge that the typical adult or new born child ... is anything other than the same individual human being - human person - as the one cell, 46 chromosome zygote whose emergence was the beginning of the personal history of that same adult or child. (Finnis, 1999 p13)

Finnis also looks at the formulation of "A just law and a decent medical ethic forbidding the killing of the unborn." (Finnis, 1999 p16) He postulates that where the life of mother or of the unborn child is at stake, the requirements both of a decent medical ethic (including the four principles) and of just law can be expressed in the following proposition: "If the life of the mother or the child can be saved only by some medical procedure which will adversely affect the other, then it is permissible to undertake such a procedure with the intention of saving life ...". (Finnis, 1999 p16)

Finnis concludes his thoughts on Abortion and Health Care ethics strongly when he states:

The open acceptance of abortion into reputable medical practice during the past quarter of a century - an ethical and civilizational collapse of historic magnitude and far-reaching effects - creates a profound challenge for all who remain willing to adhere to the proper meaning of non-maleficence and justice. They need a proper sense of their own autonomy, as upright moral subjects who preserve and respect the truth amid a social fabric of untruths and rationalizations. They also need to retain and live out a full respect for the principle of beneficence. By refusing their participation in abortion they show beneficence to the unborn (even though these will almost certainly be killed by others); and to the mother of the unborn (however little they appreciate it at the time); and to all whose lives are endangered by the spread of an ethos of "ethical killing" in the name of compassion or autonomy. (Finnis, 1999 p19)



Michael Tooley entitles his contribution, "Abortion and Infanticide". "This essay deals with the question of the morality of abortion and infanticide. The fundamental ethical objection traditionally advanced against these practices rests on the contention that human fetuses and infants have a right to life." (Tooley, 1999 p21) Tooley proceeds with an analysis on the right to life based on the potentiality of the organism and insights from a qualification of the term "homo sapiens" in juxtaposition to the animal. He concludes that: "Once one reflects upon the question of the *basic* moral principles involved in the ascription of a right to life to organisms one may find himself driven to conclude that our everyday treatment of animals is morally indefensible and that we are in fact murdering innocent persons." (Tooley, 1999 p33)

Judith Jarvis Thompson in her contribution entitled: "A Defense of Abortion" attempts to defend abortion. After a lengthy discourse on the threat to the life of the pregnant mother - and other such contentions - she arrives at the conclusion in which she seems apologetic for her standpoint:

I have argued that you are not morally required to spend nine months in bed, sustaining the life of that violinist; but this is by no means to say that if, when you unplug yourself, there is a miracle and he survives, you then have a right to turn round and slit his throat. You may detach yourself even if it costs him his life; you have no right to be guaranteed his death, by some other means, if unplugging yourself does not kill him. There are some people who will feel dissatisfied by this feature of my argument. (Thompson, 1999 p33)

She continues her conclusion stating: "A woman may be utterly devastated by the thought of a child, a bit of herself put out for adoption and never seen or heard of again. She may therefore want not merely that the child be detached from her, but more, that it die. Some opponents of abortion are inclined to regard this as beneath contempt - thereby showing insensitivity to what is surely a powerful source of despair." (Thompson, 1999 p33)

Eventually, in a final attempt to solidify her argument, she introduces in the concluding paragraph a totally new dimension: "At this place, it should be remembered that we have only been pretending throughout that the fetus is a human being from the moment of conception. A

very early abortion is surely not the killing of a person, and so is not dealt with by anything I have said here.” (Thompson, 1999 p45)

For her to have introduced the idea of when a “person becomes regarded as a person” in the last line of her essay, denies her the opportunity of supporting through research, her conclusion and thus weakens her arguments and postulates.

Don Marquis examines “Why abortion is immoral” in his essay. He defines the parameters of his study as: “The purpose of this essay is to develop a general argument for the claim that the overwhelming majority of deliberate abortions are seriously immoral.” (Marquis, 1999 p56) His involved discussion leads him to the conclusion:

The purpose of this essay has been to set out an argument for the serious presumptive wrongness of abortion subject to the assumption that the moral permissibility of abortion stands or falls on the moral status of the fetus. Since a fetus possesses a property, the possession of which in adult human beings is sufficient to make killing a human being wrong, abortion is wrong. This way of dealing with the problem of abortion seems superior to other approaches to the ethics of abortion, because it rests on an ethics of killing which is close to self-evident, because the crucial morally relevant property clearly applies to fetuses, and because the argument avoids the usual equivocations on “human life”, “human being”, or “person”. The argument rests neither on religious claims nor on Papal dogma. (Marquis, 1999 p6)

Hare (1999) entitles his contribution: “Abortion and the Golden Rule”. He defines his point of departure as:

I shall abjure two approaches to the question of abortion which have proved quite unhelpful. The first is the question of the “rights” of the fetus or the mother; the second demands, as a necessary condition for solving the problem, an answer to the question; ‘Is the fetus a person?’ ... The other unhelpful approach, that of

asking whether the fetus is a person has been so universally popular that in many of the writings it is assumed that this question is the key to the whole problem. In the same way the decision to say that the fetus becomes a person at conception, or at quickening, or at birth or whatever takes your fancy, or that thereafter, because it is a person, destruction of it is murder is inescapably a moral decision, for which we have to have moral reasons. (Hare, 1999 pp58-60)

He concludes

I conclude that a systematic application of the Christian Golden Rule yields the following precepts about abortion. It is *prima facie* and in general wrong in default of sufficient countervailing reasons. But since the wrongness consists, in the main, of stopping a person coming into existence and not in any wrong done to the fetus as such, such countervailing reasons are not too hard to find in many cases. And if the termination of this pregnancy facilitates or renders possible or probable the beginning of another more propitious one, it really does not take much to justify it. (Hare, 1999 p67)

Laura M. Purdy whose essay, "Are Pregnant Women Fetal Containers?", raises some interesting avenues in the debate on abortion. She proceeds from the admission that fetuses live in bodies of women: "fetuses live in women's bodies. This means both that what happens in and to these bodies can adversely affect fetuses and that the only way to get at a fetus is through the body that houses it." (Purdy, 1999 pp71-2)

She also notes that "pregnancy is, of course, unlike any other relationship in human experience: analogies go only so far, and then we venture on to new territory. The uniquely close relationship between woman and fetus has been taken to have serious moral implications. Those who are prepared to subordinate the welfare of women to that of their fetuses see this close relationship as justification for demands on women that exceed those required for children." (Purdy, 1999 p73)

In a fine analysis of the rights of women with specific regard to pregnancy and child bearing and rearing, Purdy calls for a more caring society.

A more caring society would be very desirable: its coming should be encouraged by all those who are dissatisfied with the chill of the classical liberal approach to relationships. It is time for thinking about what forms such caring might reasonably take, together with the implications for our contemporary values.  
(Purdy, 1999 p79)

The above discussion has examined in a cursory but pointed manner the opposing arguments pertaining to the ethical questions underlying abortion. Abortion, being a widely debated subject, lends itself to many arguments and counter-arguments - in varying degrees - that fall within the extremes defined by the pro-life view (Finnis, 1999) (Tooley 1999) and the pro-choice view (Thompson, 1999) (Purdy, 1999). It must be noted that this study is concerned primarily with a traditional Hindu view on abortion and consequently attention should be accorded to the Hindu world view.

## 2.5 Concluding Remarks

This cursory exploration into the field of bioethics has served, at the outset, to provide insight into some ethical principles. From this point of departure, the assertions of philosophers on the unborn and abortion have been briefly explored. Then also one may argue that religious pronouncements may have universal validity and that there can be a connection between these.  
(Finnis, 1999 p19)

For this study, it must be stated that Hinduism, an ancient religion, still observed today by millions of Hindus all over the world, has a fundamental nexus with bioethics. The Ayurveda - considered to be one of the oldest and most definitive statements on the science of good health and healing - also borders on the science of medicine and bioethics, with its religious injunctions and ethical affirmations. The Ayurveda approaches the science of healing and good health from the perspective that man is a bio-psycho-socio-spiritual being. Ayurveda is a holistic system of

medicine (Lad, 1994 p18) that concerns itself not just with the physical body but also with the interrelationship between the individual, his environment and the cosmos. In casting so wide a net, the Ayurveda inevitably has to concern itself with ethical issues as man is not seen as an island but is closely inter-related with his environment and is deeply connected with the community in which he lives. It is this connectedness that provides the basis for bioethical considerations, as treating people within a bio-medical model alone is inadequate and the moment one considers man's connectedness with man and his environment, bio-medical issues are likely to arise. To behave ethically may have many motivations including man's understanding of this interconnectedness. When this interconnectedness is motivated by religious beliefs and when it is affirmed that man is a spiritual being, the foundations for the interplay between religion and health are laid. This is the point of departure in the Ayurveda, unlike the situation in medicine based on the bio-medical model that has dominated medicine in the previous few decades. The bio-medical model is presently being labelled as inadequate and as such has to respond by incorporating and enhancing the holistic view of man. This latter development is seen in the relatively new field of psycho-neuro-immunology.

Furthermore, Ayurveda does not discriminate on the grounds of religion, creed, nationality or culture. Ayurveda "teaches one to go beyond the division between subjectivity and objectivity." (Lad, 1994 p19) Using this as a point of departure it may be possible to argue that the ethics emanating from Ayurveda can be seen as possessing universal validity and therefore bio-ethical relevance. The Hindu world view will serve to substantiate and strengthen this view.

## CHAPTER THREE: THE HINDU WORLD VIEW


### 3.1 Introductory Remarks

This study is grounded in Hinduism and it is therefore facile to infer that the Hindu view on medical issues, which has important ethical considerations, is grounded in the Hindu view of life. The point of departure for a meaningful consideration of the Hindu perspective on abortion is the contention that man is a cosmic being, a social being and an individual. While each of these will be considered individually for ease of discussion, the Hindu view of life is that man is not just a bio-psycho-social being but a bio-psycho-socio-cosmological being. Furthermore, his situatedness in the Supreme makes him a spiritual being.

### 3.2 Man<sup>4</sup>, The Cosmic Being

#### 3.2.1 Introduction

Ethics is concerned with doing what is right. In considering what is right it is important that one examines not only what is right for the individual but also what is right for the society one lives in and what is right for the world in which we live. A holistic approach has to be adopted in an assessment of what is right and what is wrong. Often, what is right for the individual may have a negative impact on society or the world and vice versa. The acceptance of the felling of trees as a means of earning a living for a few may have a seriously negative impact on the world in the form of global warming. Similarly, an ultra-conservative approach to the felling of trees which may be beneficial for the world may have deleterious effects on the livelihood of small villages. The contextuality of right and wrong is therefore important in making ethical decisions.

 In the Hindu tradition, the individual is seen, not only as an individual, but as a member of a family, a community, a player in the global village and as a cosmic entity. The relationships that man shares in all these facets of his existence are important in making ethical decisions. Man and cosmos are inter-related and interdependent and this inter-relatedness and interdependence has

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<sup>4</sup> For the purposes of this study, man will refer to both male and female and is used only for convenience

ethical implications. A detailed analysis of this relationship and the establishing of this important ethical consideration is apparent in many of the Shruti and Smriti texts of the Hindus. It is cardinally important to consider this relationship, particularly with regard to the debate on abortion where often the debate occurs within the confines of individual ethics or social ethics and is seldom considered within the broader cosmic context.

As Hinduism emphasizes the cosmic nature of man, a detailed contemplation of man's interconnectedness with the cosmos is vital as it adds a somewhat different approach to the question of abortion. Furthermore, the oneness of Creator and Creation (where creation is seen as the Cosmos) is an important Hindu concept that has profound ethical ramifications. The relationship between Creator and Cosmos (Creation) will be considered in establishing this Hindu concept that Man, Creator and Created are intimately interconnected as cited in the Shruti and Smriti contexts with a view to understanding the impact this has on the question of abortion.

### 3.2.2 Man, Cosmos and Creator

Hindus are, to a considerable extent, influenced by the Hindu idea that man is part of a cosmos, as asserted by Crawford: "... the essence of Hinduism lies in its cosmic outlook, which functions as a *code* for the understanding of its civilization, and as the canon by which progress is measured. This view is dynamically held, innovatively expressed and progressively realized." (Crawford, 1999 p11) It is this consideration of man's cosmic connectedness that lays the foundation for Hindu ethics. The foundation for Hindu ethics is entrenched in the consideration of man as a cosmic being. It is man's connectedness with the cosmos that necessitates that man behaves in a morally responsible manner as he is not just an individual but is part of a much greater cosmos.

#### 3.2.2.1 Man and the Cosmos: An Evaluation of Shruti

In the hymns of the Rg Veda, the cosmic nature of man is expounded. Man by virtue of the processes by which he is created is a cosmic entity as can be inferred from the well known Purusasukta Hymn:

1. A thousand heads hath Uprush, thousand eyes, thousand feet.  
On every side pervading earth he fills a space 10 fingers wide.
2. The Purusha is all that yet hath been and all that is to be;  
The Lord of Immortality which waxes greater skill by food.
3. So mighty is his greatness; yea, greater than this is Purusha.  
All creatures are one fourth of him, three fourths eternal life in heaven.
4. With three fourths Purusha went up; one fourth of him again was here.  
Thence he strode out to every side over what eats not and what eats.
5. From him Viraj (cosmic egg) was born; again Purusha from Viraj was born.  
As soon as he was born he spread eastward and westward over the earth.
6. When God prepared the sacrifice with Purusha as their offering.  
Its oil was spring, the holy gift was autumn, summer was the wood.
7. They balm'd as victim on the grass Purusha born in earliest time.  
With him the Deities and all Sandhyas and Rsis sacrificed.
8. From the great general sacrifice the dripping fat was gathered up.  
He formed the creatures of the air, and animals both wild and tame.
9. From that great general sacrifice Rcas and Sama hymns were born.  
Therefore were spells and charms produced; the Yajus had its birth from it.
10. From it were horses born, from it all cattle with two rows of teeth:  
From it generated kine, from it the goats and sheep were born.
11. When they divided Purusha how many portions did they make?



**What do they call his mouth, his arms? What do they call his thighs and feet?**

**12. The Brahman was his mouth, of both his arms was Rajarya (military caste) made.**

**His thighs became the Vaisya (husbandman). From his feet the Sudra (labourer) was produced.**

**13. The moon was gendered from his mind and from his eye the Sun had birth; Indra and Agni from his mouth were born; and Vayu from his breath.**

**14. Forth from his navel came mid-air; the sky was fashioned from his head; Earth from his feet and from his ear the regions. Thus they formed the world. (Griffith, 1973 p602)**

This description of the process of creation explains clearly that all creation comes from the very being of the Creator Himself (Purusha) and that the whole cosmos was created from the body of the Purusha. All living beings, including man that arose from the Cosmic Egg (Viraj) are cosmic beings all arising from the Creator and all are intricately interrelated. While Viraj is referred to as the "Cosmic Egg", Viraj is also seen as that form of the Creator from which all creation emanated. The cosmos too arose from the Cosmic Egg and the Creator, cosmos and man are all inter-related.

The relationship between the cosmos and the Creator is important to understand. Cosmos and Creator are inextricably linked as seen in the Rg Veda:

**The God be gracious unto us even from the place whence Vishnu strode,  
Through the seven regions for the earth!  
Through all this world strode Vishnu; thrice his foot he planted and the whole  
world gathered in his footsteps dust. (Griffith, 1973 pp12-13)**

This hymn illustrates that the whole world was formed from the dust of Vishnu's strides; this

cosmos was created from the *dust* of Vishnu's strides. Dust, a very fundamental cosmic element, gave rise to Creation making Creation cosmic. Creation is from cosmic dust. "Even the interpretation by some that Vishnu's strides over heaven denote the threefold manifestation of light in the form of fire, lightning and the sun ..." (Griffith, 1973 p 13) still underlines the cosmic act performed by Vishnu. This interrelationship between the cosmos and the Creator is reinforced throughout the Rg Veda in the constant references that are made to the elements such as fire, water, wind, sun and earth. This creates an acute awareness of one's origin from and belonging to a cosmos. The Creator in creating the cosmos, uses the cosmic elements to create cosmic beings and other cosmic entities. These cosmic elements and entities exist in the Creator and are not separate from him spatially. The cosmos and the Creator constitute a continuous continuum; cosmos evolves from the Creator and exists in the Creator.

In the context of abortion which is somewhat related to marriage, it is significant that the cosmos is likened to a bride:

7. Thought was the pillow of her couch  
Sight was the unguent for her eyes;  
Her treasury (bridal garments) was earth and heaven when  
Surya went unto her Lord
8. Hymns were the crossbar of the pole,  
Kunra-metre decked the car;  
The brides men were the Asvin pair;  
Agni was leader of the train.
9. Soma was he who wooed the maid;  
the groomsmen were both Asvins, when  
The Sun-God Savitar bestowed his willing  
Surya on her Lord.
10. Her spirit was the bridal car; the

Covering thereof was heaven;  
Bright were both steers that drew it,  
When Surya approached her husband's home. (O'Flaherty, 1981 pp593-4)

The significance in the above hymn is that Heaven and Earth are likened to the bridal garments, Agni is the leader of the train, the Asvins (Gods) are bridesmen, and the wind is axle of the bridal car. The interconnectedness of the cosmos is clearly seen. Furthermore, and more importantly, the metaphorical suggestion of a wedding as a cosmic event cannot be missed. A wedding is the cosmic union of two cosmic beings. The implication is that marriage in the Hindu tradition is a cosmic occurrence. Furthermore, this hymn is appropriate when one considers the issue of abortion. Abortion can only be considered within the context of marriage as sexual union is not permitted outside marriage. According to the Rg Veda, Creation is a cosmic event occurring within the Creator resulting in the manifestation of cosmic beings. Man too is a cosmic being in that all the cosmic elements are utilized to create him.

In the same vein, the Sama Veda also underlines the cosmic nature of this universe and man's place as a cosmic being. The Sama Veda indicates that God, the Creator pervades this cosmic world: "God, the bringer of the dissolution of the universe, again completely pervades matter convertible into Creation. The Refulgent God, with his excellent, intelligent laws, diversely pervading matter, creates this charming world, with its fascinating beauties." (Chand, 1963 p295)

Creation (including man) comes from matter that is pervaded by God. God while creating the universe from Godself is not separate from His creation. God is present in every bit of creation. However, when one considers the nature of creation and the nature of God, He is distinctly apart from His creation as elucidated in the Sama Veda: "O God, planning the creation of enjoyable worlds, when thou controllest the atoms of mother Matter, we do not realize the significance of Thy Inscrutable performance, how, Thou being distinctly apart from Matter, pervadest it and createst the universe". (Chand, 1963 p29)

In drawing out the argument that God is the Creator and exists in creation, it may be construed

that God is transformed into His creation and God therefore is no different from His creation; God is confined to His creation. This view is refuted in the Sama Veda when in affirming God's creative power, His distinction from creation is clarified; God is different from matter.

God is the controller of the process of creation down to the minutest atom and beyond: cosmos exists because of God. Man is also inextricably enmeshed with the cosmos in that "man is connected to the Life Force within the Cosmos". (Crawford, 1999 p30) Man is created from Cosmic matter and is pervaded by the Creative force thus affirming his situatedness as a cosmic being under the control of the Creative force.

While we accept that God and cosmos unite to create man, it must be stressed that the Hindu viewpoint will be incomplete if one does not emphasize that God is the controller of this process; He is the controller of the universe as stated in the Yajur Veda:

O God, Thou art the protector of the Earth, O mighty Lord, Thou fixest the Earth in its orbit, Thou controllest the Sun, Thou hast created the beautiful sky. O Lord of all, thou fixest in grace all the worlds. All these are the works of him alone, so we know! (Chand, 1963 p66)

In the case of man, man is also created by God and the process of creation and dissolution is controlled by God. God is the controller of both these processes. The process of the creation, including that of man from before the zygote to the foetus and beyond is controlled by God.

God is not just the Creator of the gross physical or cosmic world. He is also the Creator of all that is subtle as well; not just the horse, but the speed in the horse, not just the cow, but the milk in the cow, not just the heart, but the feelings in the heart as well.

"We should worship God who has created the sky over the parent, put speed in horses, milk in cows, intellect in hearts, gastric juice in men, sun in heaven and medicinal plants like Soma in mountains." (Chand, 1963 p255) Even the great subtlety called life is created by God Himself; whether that subtlety existed in the minutest zygote or in the largest of His creations, He is still

the Creator.

In the Hindu tradition, as has been detailed above, it is clear that God is the Creator and He creates from the cosmic elements while being the controller of the process of Creation and of creation itself. However, the work of God does not stop at the end of creation. He also allows for the sustenance of His creation implying that God wants his Creation to survive into the future as can be inferred from the Yajur Veda: "Firstly was created the air, in which are performed all good deeds, secondly was created the sun, which sustains the earth; thirdly was created the clouds, *that fosters plants, waters and souls and helps the retention of life in material objects*, is the guardian of many and begetter of rain." (Chand 1963, p255)

The creation of life and its sustenance are therefore cosmic processes. The emphasis that God wants his creation to survive is also important when making ethical decisions.

In the case of man, his dependence on the cosmos is clearly indicated in this prayer from the Yajur Veda: "May I enjoy life bestowing food through the plants and medicines that contribute to health and vigour. May I utilize the science of air and water for the accomplishment of my deeds. May I get the science of food from milk, honey and fruits. May I enjoy abundance of good articles through objects of manifold qualities." (Chand,1963 p40)

The fact that the cosmos and its sustenance is created by God and the fact that man is dependant on the cosmos has important ethical implications - for example, the question of ownership of resources and the rights claimed by different people for the resources of the world takes on a new ethical dimension within the understanding that God is the Creator. Furthermore, the necessity to act responsibly and to protect all that is Created is important as God exists in His Creation.

Another pertinent theme in the Yajur Veda which warrants consideration is the relationship between progeny and the cosmos. This theme will be explored further as it is significant to the Hindu view of abortion. The Yajur Veda affirms that even the provision of progeny is closely connected to the cosmos as seen in the Yajur Veda: "O God friendly to the wise, do Thou protect

my offspring. O worthy of praise do thou protect my food. O God, through Thy Grace, in unison with the three life winds, Pran, Apan and Viyan, may I be rich in offspring, well-manned with men, a hero with heroes and strong with wise and invigorating deeds.” (Chand, 1963 p52)

Very significantly one sees in the Yajur Veda a strong case for the argument that man owes his creation to the cosmos and to God. It is God’s grace in unison with the life winds that procures progeny; there is a close collusion between God and the cosmos in the creation of progeny. While God is the controller and creator of the cosmos, it may be argued that the creation of offspring (which God and Cosmos perform in unison) is a manifestation of God Himself as emphasized in the Yajur Veda: “God, the Protector of men, pervades the soul in the womb and the hearts of all. Being unborn, He manifests himself in various ways.” (Chand, 1963 p443) God, therefore, pervades the soul in the womb for the protection of man in this initial and early stage of physical development of this cosmic reality, man. Man is a valuable creation, worthy of protection not just for the individual soul but for all men.

A further observation here is that as man is enmeshed in his cosmos, ultimately, it is for the protection of the cosmos that God pervades the soul in the womb. Man being enmeshed in the cosmos is protected when the soul in the womb is protected. Hence it may be concluded that the protection of the foetus is ultimately the protection of man and the cosmos.

Furthermore, the unborn is a manifestation of God’s creative potency. God, being the Protector of man also protects the foetus emphasizing the importance of the foetus. The Hindu view that the foetus is important is clearly necessary to be considered within the context of the Hindu view of abortion.

The Shruti texts as can be seen from the above emphasize certain critically important Hindu views that have an important bearing on the field of ethics. Hindus believe that the whole cosmos is created from God and exists in God. Furthermore, all of Creation including the cosmos is “pervaded” by the Creator who is the controller of the process of creation. The Creator not only creates but also sustains His creation. With regard to man, man too is created by the Creator from the cosmos. Man coexists with the cosmos; a cosmic being in a cosmic reality.

Man's reproduction too is dependent on the Creator and the cosmos as the provision of progeny is a cosmo-spiritual provision - made possible by the Creator and the cosmos. An extremely important consideration is the fact that the future of the cosmos is also dependent on man; the Creator protects the soul in the womb for the protection of the cosmos, indicating the close interdependence of man and cosmos. It is this interdependence that has important ethical ramifications. What is good for man has to be good for the cosmos as well. The issue of abortion will be subjected to such scrutiny when the Hindu view on abortion is considered more closely in a later chapter.

Having established that man is a cosmic being, and since abortion is the destruction of a created cosmic being, it is important to consider the process of creation more particularly with reference to the idea that creation is a cosmic event. The Aitereya Upanishad explains creation thus:

In the beginning this man was but the Absolute Self alone. There was nothing else whatsoever that winked. He thought:  
“Let me create the worlds.” (Hume, 1954 p20)  
He brought forth all the worlds out of himself;  
Ambas, high above the sky; Marichi,  
The sky; Mara, the middle region that is earth;  
And Apa, the realm of waters below. (Easwaran, 1996 p125)  
He thought: “These then are the worlds. Let me create the protectors of the worlds.  
He gathered up (lump of the) human form from the water itself. He gave shape to it.  
(Hume, 1954 p24)

The words “having gathered up a lump of the human form” from the water itself in its descriptive nature begs the response that this was a very cosmic act indeed. Another important consideration as indicated in these verses of the Aitereya Upanishad is the important statement that man was created as the protector of the worlds. This has important implications for ethical arguments from a Hindu perspective as has been stated earlier.

The Aitereya Upanishad says further:

The Self thought: "I have created these worlds.  
Let me now create guardians for these worlds."  
From the waters he drew forth Purusha  
And gave him a form. (Easwaran, 1996 p126)

This form was the human form and it was created to be the guardians of the worlds. In this human form is a microcosm that is reflective of the whole macrocosm as indicated by the Aitereya Upanishad:

Fire entered into the mouth taking the form of the organ of speech; air entered into the nostrils assuming the form of the sense of smell; the Sun entered into the eye as the sense of hearing; the herbs and trees entered into the skin in the form of hair (that is, the sense of touch); Death entered into the navel in the form of Apra (ie. the vital energy that presses down); Water entered into the limb of generation in the form of semen (ie. the organ of procreation). (Hume, 1954 p25)

In these verses of the Aitereya Upanishad one sees clearly how man is enmeshed with the cosmos. One can also see that the child is a cosmic entity - derived from the cosmos and then being the abode of the elements. One sees how man functions, sees, hears, feels, smells because of the cosmos; a cosmic being functioning due to and in this cosmic world.

It is also reasonable to infer from the above verses that God having created the world also created the protectors of the world in the form of man. Man therefore, it may be argued is obliged to protect the world; this is a scriptural injunction. In emphasizing this, man's interconnectedness with the cosmos is not only on the basis that man is created from the cosmos but also that man has a duty to protect the cosmos. This duty of man cannot be overlooked when considering ethical issues.

The Chandogya Upanishad also enlightens with regard to how man was created, as can be seen from the following verses:



In the beginning, dear boy, there was Being alone, one only without a second. Some say that in the beginning this was not being alone, one only, without a second. From that Non-being alone arose Being.

Aruni said: “But how indeed dear boy could it be so? How could being arise from Non-being. In truth, dear boy, in the beginning (before creation), there was Being alone, one only, without a second.”

That being willed: “May I become many, may I grow forth”. It created water. Therefore whenever a man grieves or perspires, then it is from fire that water arises.

That water willed, “May I become many, may I grow forth.” It created food. Therefore whenever it rains, abundant food grows there, it is from water that food for eating is produced. (Swahananda, 1980 pp416-20)

In the Prasna Upanishad it is said: “Food is nothing but the Lord of all creatures. From that indeed issues that human seed. From that are born all beings.” (Hume, 1954 p423) It is clear that man is of cosmic origin and is inextricably linked to the elements of the Cosmos. Herein, the connectedness between Creator and the created is explained. God created the whole universe and ensures its propagation by being firstly the provider of food and by also providing the means for procreation. The human seed is derived from food; food is provided for procreation that is necessary for the survival of the cosmos. The cosmos was created by the Creator and its continued existence is desired by the Creator. Furthermore, it appears that propagation in the form of procreation is also necessary for the continued survival of the cosmos. The elements of the cosmos are there to ensure the survival of the created beings, making them cosmic beings not only as deriving from the cosmos but also in supporting the continuation of the cosmos. These verses also seem to convey that all creatures, including man, cannot escape their cosmic connectedness; they are part of the cosmos and cannot exist without the cosmos.

While man is of cosmic origin, one may argue fallaciously that man is of matter only, negating

that man is also Spiritual in nature. The Spiritual nature of man as related to his cosmic constitution is explained in the Mandukya Upanishad: "The indwelling Self of all is surely He of whom Heaven is the head, the moon and sun are the two eyes, the directions are the two ears, the revealed Vedas are the speech, air is the Heart and (It is He) from whose two feet emerged the earth." (Hume, 1954 p120) The interrelationship between man, God and the Cosmos is clear: it is from God that the Cosmos arises and within the Cosmos, God created man. Man is not of matter alone as adequately explained in the Mandukya Upanishad:

With regard to creation some have the firm conviction that creation is a mere will of the Lord. People engrossed in the thought of time (to wit, astrologers) consider that birth of beings is from time.

Others steeped in cogitation about creation consider origination as an exuberance (of God) while by others it is imagined that creation is comparable to dream or magic.

Some others say that creation is for enjoyment (of God) while still others say that it is for (His) disport. *But it is the very nature of the Effulgent Being<sup>5</sup>* (for) what desire can one have whose desire is ever fulfilled? (Hume, 1954 p201)

Man and the Cosmos are of the very nature of God. Both arise from, reside and evolve in God. The fact that man and the cosmos are of the very nature of God provides the foundations for performing actions in an ethically correct manner. Harming man or the cosmos is harming God. Any meaningful approach to ethical dilemmas has to consider that man and cosmos are created by God and exist in God.

From the Upanishads, it may be concluded that not only is man a cosmic being due to the fact that he exists in a cosmos but also because the cosmos has significantly and indispensably contributed to man's creation. The Upanishads also reaffirm that man is not merely matter, but

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<sup>5</sup>Italics inserted

is also Divine. Furthermore man in himself now has the power to create as illustrated in the Mandukya Upanishad: “As a spider spreads out and withdraws (its threads), as earth grows the herbs (and trees) and as from loving man issues out hair on the head and body, so out of the innumerable does the universe emerge here (in phenomenal creation).” (Hume, 1954 p91) This power to create is gifted to man so that he may protect the cosmos both by procreating and by creating means for the continued survival of the cosmos.

The above discussion of the various Shruti texts lead one to the conclusion that man is a cosmic being, created from the cosmos, existing in and sustained by the cosmos and entrusted with the responsibility to protect the cosmos. This holistic view expands ethical thinking to beyond the realm of individual ethics and places greater emphasis on what is good for the cosmos. As this is an important Hindu view, it is necessary to consider whether the Smriti texts also lead to the same understanding.

### 3.2.2.2 Man and the Cosmos: An Evaluation of Smriti

In classical Sankya philosophy, it is explained that the physical body of man is derived from the material cause called *apara Prakriti* and that the soul is from spiritual force or *para Prakriti* as explained by Sankaracharya:

two Prakritis (natures) of the Supreme Lord were shown - the one composed of three gunas and divided eightfold, forming the inferior (*apara*) Prakriti; because of its being the cause of *samsara* or mundane life; and the other, the superior (*para*) Prakriti, forming the very life (*jiva*), the *Kshetrajna* or the knower of matter being essentially one with the Lord himself. And through these two Prakritis, the Lord becomes the cause of origin, sustenance and dissolution of the Universe. (Sastry, 1977 p316)

Analysing the above, one may conclude that:

- Man is a manifestation of the Supreme Lord as in man “two prakritis of the Supreme were shown”.

- Man is both matter (apara) Prakriti and the knower of matter (para) Prakriti and is one with the Lord.
- The Lord himself is the cause of the universe.
- The body, the senses and the sense objects are provided by the Lord to assist the Jiva (Purusha) or spirit in its endeavour for enjoyment and liberation. The body is provided for a specific purpose; for the liberation of the spirit or Purusha. "The body is an aggregate of elements (bhuta sanchita), a mere psychophysical series which the self elicits from nature to fulfil its moral destiny." (Srinivasachari, 1943 p54)

In Sankya philosophy, the synthesis of body (Prakriti) and Spirit (Purusha) or matter and spirit in the Supreme is therefore clear. Man is a cosmic being owing his existence to the cosmos from which matter is derived. One must emphasize also that matter or cosmos exists for the liberation of the spirit. The physical or material body (Prakriti) is provided for the liberation of the Purusha (Spirit). To complete this synthesis, one has to conclude that Prakrit and Purusha are manifestations of the Supreme Lord as explained by Sri Krishna in the Bhagavad Gita:

"Earth, water, fire, air, ether, thought (manas), reason (Buddhi) and egoism (Ahankara), this is my Prakriti divided eightfold." VII (Sastry, 1977 p209) "Know that all beings have their birth in these. So I am the source and dissolution of the whole universe." VII (6) (31) (Sastry, 1977 p210) Krishna further explains in Bhagavad Gita that "Resorting to my Prakriti, I again and again send forth the whole multitude of beings, powerless under the control of Prakriti." IX 8 (Sastry, 1977 p243)

In these verses, it is clear that Krishna is responsible for creation and more specifically the creation of all living beings, including man.

In Chapter ten of Bhagavad Gita, Krishna says that "Of Creation, I am the beginning, the middle and also the end." X, V.32 (Sastry, 1977 p272) Furthermore, He says: "And what is the seed of all beings, that also am I, Arjuna. There is no being whether moving or unmoving that can exist without me." (Sastry, 1977 p275) Therefore, the connection between the Creator and the created is quite clear.

Man is a cosmic being created from and consisting of both Prakriti and Purusha; both being manifestations of the Supreme Being who is the controller of the process.

The human body is moulded out of cosmic stuff and is therefore a microcosm or miniature cosmos. The constituents of the physical organism of the jiva are taken from the physical universe. The cell is reproduced from the parental life. Its food is gathered from the vegetable and animal kingdom. Its material stuff is derived from the cosmic source and presided over by the gods. The self is a social being and cannot sustain itself without social help; it owes its moral and spiritual life to the grace of the guru. In this way the cosmos is one single organism or system; one unity in which there is no gap between atom, cell, sense, self and society. (Srinivasachari, 1943 p67-68)

This unity between the human body, the cosmos and the Supreme Being is the yardstick by which ethical decisions are measured.

The emphatic view that man is a cosmic being is manifested practically in the samskaras or sacraments of the Hindus. The cosmic nature of one's existence is clearly seen in the various Samskaras, the first of them being the Garbadhana. The Garbadhana is a sacrament to secure a healthy foetus. Oblations are offered to the Fire, Air, Moon and Sun. (Shastri, 1985 p57). In this prayer, one sees that the foetus, even before conception, is thought of as having cosmic connections. Furthermore, the sexual act is seen as a prayer and impregnation is a cosmic event: "The Agni (fire) the best purifier by nature is the medium of all sorts of purifications amongst all the physical elements. I, the wisher of all prosperities and believer in the existence of divinity and his words use this fire in various ways. Let this fire remove the invalid and inauspicious signs or bents of limbs, if any, from this lady." (Shastri, 1985 p74)

The Punsavanam which is the second sacrament for the well being of the foetus also affirms the coming together of the physical elements in the creation of the human child: "Agni, the fire, first amongst all the physical elements, by the grace of God, come to her protection and save the offspring of this lady from the hold of immature death." (Shastri, 1985 p74)

Marriage, which for the Hindu is to produce progeny, is also a cosmic act. In this sacrament, the husband says to the wife: "As the universe has come into existence with the union of matter and Purusha, the eternal individual soul, so we the virgin and bachelor take this vow now to wed together, both of us." (Shastri, 1985 p182) The cosmic nature of the Hindu marriage is further emphasized in the following verses for the Vivaha Samskara: "First among all the physical elements, Agni, the fire by grace of God come to her protection and it saves the offspring of this bride from the hold of immature death. Varuna, the vital air may come to its coordination in this matter and this bride may not even wail for the grief of her child." (Shastri, 1985 p209)

The continuous and conspicuous repetition of invocations and references to the various physical elements in the samskaras strongly reaffirm that man is a cosmic being. Man is dependent on the cosmos and more importantly, man owes his creation and existence to the cosmos. While the Shruti texts teach that man is a cosmic being, the samskaras are a practical means of demonstrating the conviction within the Hindu tradition of this important teaching.

From the above discussion it is abundantly clear that the human person is a cosmic being in an existential cosmic reality; from and always in cosmos. Furthermore, man and cosmos are manifestations of the Supreme Lord. The Supreme Lord and Cosmos cooperate to create man and man and cosmos cooperate to reaffirm the oneness of cosmic being in the Supreme. Man is a cosmic being in a cosmo-spiritual reality.

In the Smriti texts, while there is reaffirmation that God, cosmos and man are inextricably linked, the Bhagavad Gita emphasizes that God is the Creator and the controller of the manifestations of the multitudinous being. The Smriti texts also emphasize the interdependence of man and cosmos as man and cosmos are seen as a continuum and this synergy between man and cosmos is given practical expression in the samskaras that help us towards self-realization or moksha.

The cosmic nature of man has been explored in some detail but man is not just a cosmic being fashioned out of cosmic stuff, he is also a social being living in a society and influencing that society and being influenced by it. In this context, many ethical dilemmas arise and it is therefore important to consider the social nature of man's existence from a Hindu perspective.

### 3.3 The Human Person as a Social Being

For the Hindu tradition, man is not only a cosmic being but also a social being. Man's existential reality is within a social framework. Given that man is a social being, a traditional Hindu society is centred around various social precepts; the all important ones being the Purushartas and the ashrama dharma system. These precepts form the basis for the social life of a Hindu and will therefore be considered in some detail. Furthermore, the question of abortion cannot be considered outside the realm of social ethics.

#### 3.3.1 The Purushartas

The Purushartas are artha, kama, dharma and moksha. These are the four goals in a Hindu's life. These goals are only attainable in a social milieu. All the Purushartas have important implications for ethical discussion as wealth, pleasure, righteousness and self-realization and which are all important aspects in deciding what is right or wrong. In the context of abortion, the Purushartas are also important and should be considered in some detail.

##### 3.3.1.1 Artha

"The term artha is very broad in its meaning and is generally equated with wealth. By presenting artha as one of the goals of life, Hinduism recognizes that every human being has certain basic material needs ... such as the need for food, clothing and shelter; and it is legitimate that these are fulfilled." (Rambachan, 1992 p17)

The Rg Veda establishes the legitimacy of the pursuit of wealth. "When you have gone, wiping away the footprints of death, stretching further your own lengthening span of life, become pure and clean and worthy of sacrifice, swollen with offspring and *wealth*."<sup>6</sup> (O'Flaherty, 1981 p52)

In the Sama Veda it is said: "O God, grant us ever prosperity and progeny and drive away poverty" (Chand, 1963 p46), affirming that artha is important.

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<sup>6</sup>Italics inserted

The Aitereya Upanishad also asserts that artha is important not for its own sake but for the performance of sacrifice: “Let me have a wife, so that I may be born (as a child). And let me have wealth so that I may perform rites.” (Hume, 1954 p11)

The Satapata Brahmana also lends emphasis in this regard: “If one were to imprecate evil on him in the middle of the sacrifice, let him be thus spoken to: ‘Thou shalt be without offspring, without cattle!’ for offspring and cattle, indeed constitute the centre (that is, substantial possession of man).” (Eggeling, J. 1988 p159) One can, therefore, see that cattle (being wealth) is the central possession of man together with offspring.

The Bhagavad Gita illustrates, in the same vein, that even at the creation of man, God granted him wealth. “Having first created man together with sacrifices, the Prajapati said: ‘By this shall ye propagate, let thus be to you the cow of plenty.’” (Sastry, 1977 p98). The cow of plenty refers to the material necessities (or wealth) necessary for propagation and the performance of rituals. It is therefore clear that both the Shruti and Smriti texts recognize the importance of wealth. The pursuit of wealth is not shunned in the Hindu tradition and in fact, Hinduism is not anti-materialistic.

Having established that wealth is a legitimate pursuit, one has to be aware that Hinduism does not teach that wealth should be seen as an end in itself, as seen in Bhagavad Gita:

Entangled in hundred of snares of expectations, making lust and wrath as the ultimate springs of actions; they, for the gratification of their desires, strive for the *unjust* amassing of wealth. Thinking that: “This much today has been gained by me; I am sure forthwith to attain my mind’s desire. This much (of wealth) is (already) mine; this much wealth likewise shall forthwith be mine ... Affluent am I, and of distinguished parentage; who else is there equal to me? I shall perform sacrifices; I shall make gifts! I shall enjoy!” Deluded by such erroneous views ... they fall into loathsome hell. (Sastry, 1977 pp421-22)



The pursuit of wealth should not be through unjust means or simply for wealth's sake. The acquisition of wealth is seen as necessary but is not an end in itself and should never be amassed by deceitful or adharmic means.

Reflecting on this discussion of artha, an interesting observation is that artha is always associated with offspring. The Rg Veda as we have seen earlier mentions as the accomplishment of life both "offspring and wealth." (O'Flaherty, 1981 p52) The Sama Veda details a prayer for "prosperity and progeny" (Chand, 1963 p46) together. The Aitereya Upanishad shows the interrelationship between progeny and wealth, as indicated above, when the prayer of a man is that he wishes to have both progeny and wealth. (Hume, 1954 p11) Similarly, as seen in the preceding few paragraphs the Sama Veda, Stapana Brahmana, Manu Smriti and Bhagavad Gita also clearly indicate this constant association of artha with offspring. One may therefore conclude that for the Hindu, artha and offspring are closely interrelated. The Brihadaranyaka Upanishad further emphasizes this assertion: "In the beginning the world was just the Self (Atman) - one only. He wished 'would I had a wife; that I would procreate. Would I had wealth then I would offer sacrifice.'" (Hume, 1954 p86) This linking of offspring and wealth is very interesting. Pragmatically, wealth and offspring go together since one needs wealth for the sustenance of the offspring. Furthermore, artha and offspring for the Hindu are connected because both serve a spiritual purpose. The getting of offspring is one of the spiritual accomplishments for the Hindu and the performance of rites for which wealth is a prerequisite is another. This link between wealth and offspring is also clear because for the Hindu, both are provided by God. This close interrelationship between artha and offspring needs to be considered carefully in the assessment of the Hindu view on abortion particularly when one considers that many abortions are carried out because parents apparently do not have the means to support the child.

### 3.3.1.2 Kama

Kama is one of the purushartas. "In addition to requiring certain material necessities for decent living, we also possess the capacity for pleasure and enjoyment through our senses. It is pleasure, referred to in Sanskrit, as kama, which constitutes the second component of the fully realized

human form. Kama includes both sensual and aesthetic pleasure.” (Rambachan, 1992 p31) In the context of the abortion debate, this purusharta is important as it is out of a lack of control of sexual desires that many unwanted pregnancies arise.

In this discussion, consideration will be given to conjugal union. Conjugal union is only allowed within the confines of marriage: “According to Manu the house-holding man should always do sexual intercourse in the properly prescribed time after the completion of the menstrual course. He should always keep away the idea of sexual intercourse with any woman other than his wife”. (Shastri, 1985 p52)

The assertion that conjugal union is only allowed in marriage is further emphasized in the Mahabharata when Pandu relates the situation many years before his existence. Women were free. “They were their own mistresses, they were faithless to their husbands, but yet not lawless, for such was the law in the older days. That situation was undesirable and subsequently changed.” (Van Buitenen, 1973 p251)

Promiscuity is rejected as clearly evidenced in the Mahabharata: “The woman having intercourse with five (men) becomes a harlot.” (Van Buitenen, 1973 p259) Celibacy became the doctrine of the day. “Celibacy, ascetism, sacrifice, begetting progeny, performing ceremonies with good faith, learning and giving away food are the seven kinds of Ashrama dharma. Those who practise these things for the whole of their lives, go to heaven ...” (A Taluqdar of Oudh, 1980 p35) Celibacy is the first of the virtues mentioned and its observance allows one to even attain heaven. Lust is totally discouraged as seen in Bhagavad Gita: “Triple is this gate of hell, destructive of the self - lust, anger and greed; therefore should one abandon these three.” (Chidbhavananda, 1986 p16) The Brahma Purana also cautions against lust. “A householder devoid of stamina and virility will attempt to have sexual pleasure. When the Yuga (age of Kali) comes to a close no sexual indulgence will be on par as with one’s own wife.” (Shastri, 1985 p671)

From the above, it is clear that conjugal union should only be allowed in a marriage, and in the absence of lust. Celibacy is a paramount virtue for men and women as detailed in the Samskaras:

**“I (a lady) would achieve the complete happiness enjoying strength, long life and righteousness without breaking the pledge of observing celibacy which is the excellent source of pleasure and happiness.” (Shastri, 1985 p52) For the Hindu, celibacy (avoidance of sex with anyone but one’s wife and having sex at the prescribed times) should be a cornerstone of his sexual life.**

**While celibacy is a virtue to be practised by all Hindus, conjugal union, as directed by the Rg Veda, was established as a duty.**

**For even men in the past acted according to the law and talked about the law with the Gods, broke off when they did not find the end (of their ascetism; that is they died childless and unsuccessful). Women should unite with virile men. Not in vain is all this toil, which the gods encourage. We must always strive against each other and thus we will win the race that is won by hundred means, when we merge together as a couple. (O’Flaherty, 1981 p251)**

**People, even great ascetics, were considered unsuccessful if they were childless. All the penances of the ascetic were void if he was to die childless. This view is a classical Hindu view and present views may differ from this view, but this study concerns itself with the classical Hindu view.**

**The argument that conjugal union is intentional with the singular objective of procreation is widely underlined in all Hindu texts. In this regard, the Rg Veda is explicit when it relates the instance of Agastya and Copumudra:**

**Copumudra seeks to turn to her husband Agastya, who has taken the vow of chastity; away from his ascetism so that he will beget a child upon her. Agastya yielded and the two of them by uniting after each had perfected a power (she eroticism, he ascetism) achieved both forms of immortality (spiritual and corporeal) through children. (O’Flaherty, 1981 p150)**

**The Rg Veda further says in Chapter LXVIII:**

4. Seated as a priest with Manu's progeny, of all these treasures, he alone is Lord.
  5. Men yearn for children to prolong their line and are disappointed in their hope.
  6. Eagerly they who hear his word, fulfill his work as sons obey their sires behest.
- (Griffith, 1973 p159)

Immediately once notices from the above that having progeny is the fulfilment of a duty; hence conjugal union becomes a goal driven act and not whimsical and frivolous.

The Manu Smriti as suggested by Banerjee states that marriage and procreation of children leads "to one's unison with Brahman." (Banerjee, 1979 p47)

Furthermore, "It seems that he (Manu) has taken for granted the traditional Hindu view in the meaning of this institution (marriage) according to which it is the union of man and woman with the sole purpose of procreating of a son regarded as the incarnation of the father." (Banerjee, 1979 p53)

An analysis of this statement reveals that conjugal union serves a number of functions *inter alia*, the securing of progeny, allowing for the incarnation of the father and becoming one with Brahman. Conjugal union is therefore not a free and frivolous act, as indicated in the Prasna Upanishad: "those who undertake the well known vow of all creatures beget both sons and daughters. For them alone is the world of the moon in whom there are the vows of continence in whom is found ever avoidance of falsehood." (Hume, 1954 p123) Frivolous sexual activity in marriage and *definitely* outside matrimony will constitute a violation of the "vows of continence" and will constitute a "falsehood". Furthermore, the sexual act is for the begetting of sons and daughters and not for "sensual pleasure". The vows of continence establish that sexual activity must occur within a marriage and furthermore, that this activity must be controlled and non-frivolous. The Garud Purana aptly emphasizes this: "Those, who live for practising virtues, visit their wives for procreating of children and cast offerings to the deities tide over the evils of life." (Shastri, 1968 p728) Brahma says in the Bhagavata Purana: "You have to follow the righteous course of sexual union between a duly married couple. You will procreate progeny in large numbers who will observe the same righteous duty (of sexual intercourse between the

duly married) like you. All created beings after you could be born under the influence of my maya and they will offer worship.” (Tagare, 1979 p803) It is abundantly clear that for the Hindu, conjugation ought to be considered as a sacred act solely for procreation.

While sexual intercourse is only allowed in marriage, it is permitted with certain restrictions as detailed in the Linga Purana: “Absenteeism from sexual intercourse except during the prescribed period, after menstruation, is stated as celibacy in the case of householders.” (Shastri, 1973 p29) For the Hindu, therefore, celibacy does not only mean avoidance of sexual activity, but can mean abstaining from sexual activity during certain prescribed times. Furthermore, celibacy is also broadened to include sexual activity but with one’s wife only.

Another school of thought, as explained in the Matsya Purana in emphasizing that sexual intercourse is the duty of married people, postulates that, “One who does not satisfy the desire of a damsel on the termination of her menstruation, commits the sin of slaying of a Brahmana.” (A Taluqdar of Oudh, 1980 p 147) Conjugal union is therefore seen as a duty, and failure of the husband to approach his wife in the prescribed time is a damning sin. Nevertheless, the point to be stressed is that the wife should only have intercourse with her husband. The Mahabarata further emphasizes that conjugal union is a duty of both the husband and wife:

Women transgressing the limits assigned by the Rishi (Svetaketu) became guilty of slaying the embryo. And men too, isolating a chaste and living wife who has from her maidenhood observed the vow of purity, become guilty of the same sin. The woman also commanded by her husband to have offspring and refuses to do his bidding becomes equally sinful. (Van Buitenen, 1973 p252)

It further emphasizes: “It hath been said by those acquainted with the rules of morality that a wife, when her monthly season cometh, must ever seek her husband though at times she desireth liberty.” (Van Buitenen, 1973 p255)

A brief look at the Samskaras will further elucidate that conjugal union, although a necessity, is

not simply a frivolous and casual affair. Firstly, the age at which people become eligible for conjugal union is specified: "The age of the girl is specified at 16 and the man at 25. The girl (wife) should at least be 16 years having full blooming youth having practised the disciplines of celibacy and having completed her education. The man (the husband) surely should at least be 25 years." (Shastri, 1985 p49)

Secondly, "The time of impregnation is also specified. According to Manu etc., the house-holding man should always do sexual intercourse in the properly prescribed time after the completion of the menstrual course. He should always keep away the idea of sexual intercourse with any woman other than his wife." (Shastri, 1985 p52) "The procedure of impregnation should be followed in conformity with the procedure laid down in the Upanishad in this matter." (Shastri, 1985 p53) Clearly, sexual union was a meaningful act that served an important function as evidenced in the Minor Law Books:

Women have been created for the purpose of propagation; the wife being the field, the husband being the giver of seed. The field must be given to him who has seed. He who has no seed is unworthy to possess the field. (Jolly, 1969 p169)

The man must undergo an examination with regard to his virility; the fact of his virility has been placed beyond doubt, he shall obtain a maiden, (but not otherwise). (Jolly, 1969 p166)

The Minor Law Books further emphasize that a husband should not "show love to a barren woman." (Jolly, 1969 p184) While this is a very extreme view that is not practised today, it indicates how important progeny was considered to be in earlier times.

It is well documented that in the Hindu tradition, the purpose of sexual union is for the creation of children and not just for wanton pleasure; the length to which Hindus went to ensure that sexual union did not degenerate into a non-purposeful, frivolous, casual act is obvious and easily interpreted from the above references.

Having considered conjugal union, it will be reasonable to conclude the following from a Hindu perspective - that conjugal union:

1. is only permitted within a marriage.
2. should not be a frivolous activity; it is a spiritual duty for the procurement of progeny.
3. is bound by various rites.

#### 3.3.1.3 Dharma

The third pursuit of man in his earthly existence to be considered in this discussion is “dharma”. “Hinduism is a cultural tradition in which Dharma is the most vital concept.” (Junghare, 1997 p 61) While artha and kama are concepts translated into English with relative ease, “Dharma is a very rich and multifaceted concept within the Hindu tradition and therefore (is) difficult to translate”. (Rambachan, 1992 p85) The consideration of dharma, being the foundation of ethics in Hinduism, cannot be dealt with exhaustively here. Nonetheless, this study being closely related to Hindu ethics necessitates some consideration of the concept dharma. Swami Sivananda aptly states that “Dharma is the heart of Hindu ethics. God is the centre of Dharma.” (Sivananda, 1988 p37) This immediately sets the stage to explore the relationship between Dharma, ethics and God.

“ The word dharma is derived from the root Dhr; to hold - and its etymological meaning is that which holds this world, or the people of the world or the whole creation from the microcosm to the macrocosm.” (Sivananda, 1988 p37) Rambachan elucidates further: “The Sanskrit word for ethics is dharma (dhar, ‘to hold’). It signifies that which upholds or embodies law, custom and religion ...” (Rambachan, 1992 p18)

Rambachan further asserts that “The word is derived from a Sanskrit root meaning to support or maintain, and can be partly equated with virtue or righteousness.” (Rambachan, 1992 p18)

Historically, as noted from the earliest days of the Rg Veda, “dharma is predominantly understood in sacerdotal and cosmological terms. However, the ethical foundations are firmly laid in the

cognate concept of Rta, which in addition to its ritual aspects, carries the ontological meaning of immanent order and the theological meaning of 'divine law'. Gods Varuna and Mitra who preside over Rta, have fully developed moral personalities." (Crawford, 1999 p40) "In the Rg Veda, rta is the right order of the universe. It stands for both the satya or truth of things as well as dharma." (Crawford, 1999 p5)

"From the very dawn of Indian civilization, the Indian mind is found to be chiefly concerned with it (dharma). The persistence and intensity with which the inquiry into dharma has been pursued is mainly on account of the firm conviction of the Indian people that dharma constitutes the difference of man, whereby he is distinguished from brutes." (Crawford, 1999 p5) It "is the principle in Hinduism which presupposes the *unique* human capacity for concern and responsiveness towards the needs and interests of others." (Rambachan, 1992 p18)

In essence, it may be argued that dharma is the Divine Law or moral order given with man weaved into the ethical fabric "that holds" the Universe together. It is "the solvent that bonds Spirit with matter, time with eternity, the ideal with the actual and the individual good with the social good." (Crawford, 1999 p9) Dharma unites the Supreme, society and the individual into one continuum. "Dharma is the Divine Law for the governance of the Lord's creation. Each jiva which is itself of divine origin must rise to the austere yet blissful heights of Dharma and become its standard-bearer." (Shukla, 2001 p46)

Dharma reminds one of one's social duty. It has a profoundly social emphasis: "Dharma emphasizes the social context in which we aspire after wealth and pleasure. Through dharma, we are reminded that the selfish and uncontrolled pursuit of wealth and pleasure lead to social chaos and disharmony. Dharma demands that we broaden our perspectives to incorporate the good and welfare of society as a whole." (Rambachan, 1992 p18) Swami Sivananda emphasizes thus: "Anything that helps to unite all and develop pure divine love and universal brotherhood, is Dharma. Anything that creates discord, split and disharmony and ferments hatred is Adharma." (Sivandanda, 1988 p38)


Professor Radhakrishnan further illustrates the social duty of man: "Man is indebted to his



community and therefore sacrifices, but even more so he is culturally and experientially indebted to humanity and must therefore serve the universal good.” (Radhakrishnan, 1927 p12) The performance of this social duty generates its own momentum and in a cyclical manner leads to the individual’s realization of his own eternity:

Hinduism recognizes the rule of law not only in outward nature, but also in the world of mind and morals. Rta manifests itself equally in nature and human society. We are every moment making our characters and shaping our destinies. There is no loss of any activity which we commence nor is there any obstacle to its fulfilment. Even a little good that we may do will protect us against all odds. What we have set our hearts on will not perish with this body. This fact inspires life with present sense of eternity. (Radhakrishnan, 1927 p73)

Man is inspired to perform his social duty because he belongs to one creation; he is one with Creation. “There is one all pervading Atman. It is the innermost soul of all beings. This is the common pure consciousness. If you ignore your neighbour, you ignore yourself. If you injure any other creature, you really injure yourself, because the whole world is nothing but your own self. This is the basic metaphysical truth that underlines all Hindu ethical codes.” (Sivananda, 1988 p64) This Atman abides in all beings. “Universal love is the expression of that unity. Universal brotherhood has its basis in the unity of the self.” (Sivananda, 1988 p64)

While dharma as discussed above may lead to the impression that it is static in the sense that the brotherhood of man is established in the unity of the self, dharma is dynamic. “Dharma depends on time, circumstances, age, degree of evolution and the community to which one belongs. The dharma of this century is different from that of the tenth century.” (Sivananda, 1988 p39) While the essential foundations of dharma remain constant, dharma does respond to the circumstances of the time. “Dharma is activity, mobility and is preserved by catalytic properties. By contrast, adharma is stasis, stoppage and to that extent unnatural.” (Crawford, 1999 p5) 

Dharma is a dynamic process inspired by the belief in the oneness of creation leading to both

social and individual progress. The interrelationship between the individual and social good as the purpose of life is well expressed by Crawford.

“If life is the cosmic evolution of the Supreme Spirit from pure matter in which spirit lies dormant to pure spirit in which matter lies dormant, betwixt the two extremes is a mingling of matter and Spirit whereby matter becomes a stepping stone for Spirit. In practical terms this means that while the individual good of a person may be the renunciation of the world in order to realize his essential self or the attainment of moksha, his social good is to be involved in the world and so fulfil his dharma. In the domain of ethics, dharma is inferior to moksha, at the same time dharma is the sine qua non of moksha. (Crawford, 1999 p10)

⌘ Dharma has an individual (varnashramadharma) and a social perspective (sadharanadharma). Often there may be conflict between the individual good and the social good. Social good takes precedence over the individual good. “Since human rights precede communal rights, Sadharanadharma provides the basis for Varnashramadharma and also defines its boundaries. For instance, a Brahmin wanting to make a sacrificial offering is not at liberty to acquire the object of sacrifice by stealing it, for asteya or non stealing is a universal duty.” (Crawford 1999 p12)

Rambachan illustrates this point further when he explains that the Mahabharata “tells the story of a monk who was so faithful in telling the truth that he was known as the truth-teller. One day, a group of thieves who were hotly pursuing some terrified travellers, knowing the monk’s reputation, asked him where the travellers had gone. The monk truthfully pointed out the route they had taken, and with his help, the thieves were able to slay and rob the travellers. The text condemns the monk for selfishly ignoring the subtleties of dharma. While speech should be true, the end result ought to be beneficial.” (Rambachan, 1992 p19) Individual actions should always be weighed up against the effect they would have on the community. Sadharanadharma takes precedence over Varnashramadharma.

In conceptualizing dharma, one has to look at pragmatic considerations also. Professor Rambachan writes: “In Hindu mythology, the symbol of dharma is the bull, whose four feet are

truth (*satya*), purity (*sauca*), compassion (*daya*) and charity (*dana*). While there is no infallible way of determining dharma, a pure mind, intent on truth and blessed with compassion and charity is the most reliable guide in our quest for it.” (Rambachan, 1992 p19) Swami Sivananda writes: “Non violence, truth, non stealing, cleanliness and control of the senses are duties common to all men (dharma). *Ahimsa* or non violence is the most important virtue.” (Sivananda, 1988 p39) Patanjali Maharishi elucidates that “*Ahimsa* (non violence), *Satya* (truthfulness) *Brahmacarya* (celibacy in thought, word and deed) *Asteya* (non stealing) and *Aparigraha* (non covetousness) are the first five virtues.” (Sivananda, 1988 p44)

The Matsya Purana enumerates seven kinds of Ashrama dharmas: “Celibacy, ascetism, sacrifice, begetting of progeny, performing ceremonies with good faith, learning and giving away of alms are the seven kinds of Ashrama dharmas.” (A Taluqdar of Oudh, 1980 p35) The Bhagavad Gita enlightens as follows: “Therefore, the scripture is thy authority in deciding what ought to be done and what ought not to be done. Now, thou oughtest to know and perform thy duty laid down in the scripture-law.” (Sastry, 1977 p426)

It is clear that dharma is a multi-faceted concept. For the purposes of this study it is noteworthy that Hinduism places great value on non violence (*ahimsa*) and celibacy. These virtues feature prominently in the ethical consideration of the Hindu viewpoint on abortion. While the basis for dharma derives from the original idea of *rta*, emphasizing that dharma was there to protect the cosmos, dharma has a profoundly social emphasis as well. In determining what is good, the individual, the society and the cosmos have to be considered. Dharma is a universal law in the sense that it emphasizes that what impacts positively on the universe is good and therefore dharmic. Actions are not weighed up simply on the basis what is good for a specific person or a specific time or in specific circumstances but what is good for the person, the society and the universe.

For the Hindu, man is not seen as an island but rather as a cosmically and socially responsible person. In this context, the Hindu scriptures instruct that we live by certain values and virtues, for example celibacy and non-violence, for the universal good. The universal good takes precedence over what is good for the individual. Although dharma is contextual in many ways,

the emphasis is on universal good rather than individual good. For abortion to be a dharmic act, it has to be for the universal good.

#### 3.3.1.4 Moksha

Having considered the purushartas of artha, kama and dharma, it is necessary to consider moksha. The Sanskrit term “*moksha*” which denotes freedom, is the highest end of life in Hinduism. (Sivananda, 1988 p40) This freedom is a freedom from ignorance about our true nature. Professor Radhakrishnan elucidates: “The Hindu’s belief is that he is part of God, but through ignorance is unable to realize this identity; and his aim is to obtain knowledge which will ensure his reunion with God.” (Radhakrishnan, 1927 p45)

Self-ignorance is the consideration of the physical self as the empiric self<sup>7</sup>. It is the limitation of the Self just to the physical self. We are not this mind and body. The essential self is distinct from the body and mind. The term used for the Self or being of every living thing is atman. Unlike the body, the atman is immortal. It is never born, nor will it ever die. Unlike the mind, it is not subject to change. The atman is equally and identically present in all beings. Contrary to the notion we have of ourselves as distinct and separate from every other being, we are united in the atman which is identical in each one of us. It is free, full and complete and it is the truth and reality of our natures. It is this knowledge of the atman which constitutes moksha in Hinduism. (Rambachan, 1992 p24)

The atman is equal and identical whether in a foetus, child or adult. In emphasizing this oneness of creation, moksha becomes the foundation for selfless activity, compassion and charity. It becomes the standard by which ethical decisions are made. It is also necessary to clarify that as much as we are not this body and mind and that the empiric self is different from the real self, the empiric self is necessary for the evolution of the jivatma (the self in the physical body). In this

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<sup>7</sup>The physical self is also the jiva as different from the jivatma (the real self). Physical self and jiva will be used interchangeably and atma and jivatma will also be used interchangeably.

context, man's cosmic connectedness as an embodied being becomes important.

To complete this discussion of the purushartas, it is important to analyse the interrelationship between them. Crawford asserts that "The human being is perceived as an intricate organism in whom there is an ascending scale of values represented in the four purushartas as values of life, kama, artha, dharma and moksha." (Crawford, 1999 p10) The true Hindu view, however, will not be that the human being is just an intricate organism (almost suggesting an independent biological entity). Essentially, the human being is part of the cosmos. The human being should be seen to be an individual functioning in a unit rather than as an individually functioning unit. Furthermore, the purushartas should not be seen as an ascending scale of values meaning that one has to achieve each one in turn starting with kama. "The ideal is a simultaneous pursuit and realization of all four ends and the achievement of harmony and balance among them. They are together seen as essential to the perfecting and realizing of the full potential of the human person." (Rambachan, 1992 p17)

Crawford also states that: "From one perspective, the first three values (kama, artha and dharma) represent the needs of the empirical self (jiva), and are distinct from the fourth value, which represents the need of the essential self. Viewed under the law of spiritual progression, together they belong to a creative continuum." (Crawford, 1999 p10) For the purposes of simplifying discussion, it may be necessary to distinguish between the empiric and the real self - it is more important to realize that the empiric self is a part of the real self, hence what is for empiric self is also for the real self. Furthermore, this distinction between the real and empiric self can lead to the conclusion that the empiric self is quite apart from the real self thereby increasing ignorance about the real self; thereby taking one further away from moksha. Moksha is a quest to realize the oneness of the empiric and real self. The real and empiric self are closely associated and it is the empiric self that is used to enlighten one about the real self.

Considering Crawford's assertion above more closely, it is clear that kama, artha and dharma are for the empiric self while moksha is for the real self. Furthermore, it has been explained earlier that kama, artha and dharma can only be pursued in a social context. While kama, artha and dharma can only be achieved in a social context, moksha is an individual achievement. Moksha

is attained for oneself and not for anyone else. Therefore, from Crawford's assertion, one may conclude the following:

1. Kama, artha and dharma are for the empiric self.
2. Moksha is for the real self.
3. Kama, artha and dharma are only achievable in a social context.
4. Moksha is an individual attainment with social implications.

It has already been pointed out that the real self is the empiric self and beyond. Furthermore, the supreme attainment of man is moksha. Hence one may conclude that man has to lead a social existence to finally achieve moksha which is the clarification of the relationship between the real and empiric self. One may further conclude that man is first a social being and then an individual. Therefore, in the consideration of ethical issues, one can only make decisions about them in a social context. Social considerations assume a paramount position. Since moksha is an individual attainment, one can wrongly conclude that the individual's needs take precedence over the needs of the society. However, since moksha is a clarification of the relationship between the empiric and real self and because the real self can only be realized within a social context, the needs of society take precedence over the needs of the individual in the attainment of moksha.

Moksha in its very nature is to be achieved in a social context. The human being needs an earthly social existence for the attainment of moksha. Recognizing that the human being is an individual in a social context, Hinduism has provided us with a workable social system called the Ashrama Dharma system.

### 3.3.2 Ashrama Dharma

The Hindu tradition accepts four Asramas or stages of life: namely, Brahmacharya or the period of studentship, Grihastha or the stage of the householder, Vanaprastha or the stage of the forest dweller or hermit and Sanyasa or the life of renunciation or ascetism. (Sivananda, 1988 p53) Similarly, "There are four stages of this human body. The first growth, the second, youth, the third maturity and the fourth, gradual decay." (Sivananda, 1988 p53) "Every man should pass

through the different Asramas regularly. He should not enter any stage of life prematurely. He can enter the next stage only when each has been completed.” (Sivananda, 1988 p53)

### 3.3.2.1 Brahmacharya

This is the first order that one enters: the life of a celibate student. At the age of five the child takes up residence with the spiritual master or guru where his character is developed for his whole life. Significantly, in this stage tremendous emphasis is placed on celibacy.

According to the Vedic teacher, Yajnavalkya, “The vow of brahmacharya helps one to abstain from sex indulgence in works, words and mind at all times, under all circumstances and in all places.” (Satvarupa,1977 p68) Brahmacharya prepares one’s character to control his sexual urges. “The idea is that, having undergone brahmachari training, he will in no circumstance become the victim of unrestricted sex.” (Satvarupa,1977 p69) This does not imply that Hinduism fails to recognize man’s desire for sense gratification. Instead, the Ashrama dharma system does accommodate the jiva’s deep rooted desire for sense gratification. In essence, it provides a life pattern in which one can satisfy his desire and in which also, “through regulation, one can gradually detach himself from material bondage.” (Satvarupa,1977 p69) This system protects the individual from frivolous sexual activity by strengthening his character. It further precludes one from engaging in sexual activity before one is mentally and physically prepared to do so responsibly. Within the system, sexual activity is only allowed in marriage. In Brahmacharya, the celibate student is not allowed any sexual indulgence in thought, word or deed. In the next stage, called grihastha, the individual has to fulfil the role of a householder.

### 3.3.2.2 Grihastha

“The household stage is entered at marriage, when the student has completed his studentship and is ready to take up his duties and responsibilities of householder life: of all the Asramas this is the most important because it supports all others. As all creatures live supported by air, so the other orders exist supported by the householder.” (Sivananda, 1988 p56) In this brief survey of some of the Hindu scriptural texts, it will become clear why grihastha is the backbone of all the

asramas.

The Sama Veda states that “Conquerors of the world attain salvation through the path of domestic life.” (Chand,1963 p37) Immediately one is made aware of the fact that salvation is achievable by those who take the path of grihastha. This is important to emphasize as it is sometimes believed that moksha (salvation) can only be achieved by becoming a sanyassin which is opposed to the idea of marriage. The grihastha ashrama is a very important ashrama and can lead to salvation.

The Brihadaranyaka Upanishad in very pragmatic terms, establishes the importance of the grihasthi:

Now the self (the householder) is verily the support of all beings. It is by offering libation in the fire and performing sacrifices that he becomes the support of the gods. By reciting the Vedas he acts as a support to the sages. By making offerings to the manes and desiring offspring he is the support of the manes. By lodging men and giving support to them he becomes the support of men. By providing fodder and water for animals he becomes their support. And as beasts and birds and even ants feed in houses, he is thereby their support. Just as one wishes welfare to one's own body - so do all beings wish welfare to him who knows this. All this (fourfold duty) has verily been known and discussed. (Hume, 1954 p72)

The Brihadaranyaka Upanishad lends further insight into the responsibilities of the grihastha ashrama: “Verily the husband is dear (to the wife) not for the sake of the husband, my dear, but it is for his own sake that he is dear. Verily the wife is dear (to the husband) not for the sake of the wife, my dear, but is for his own sake that she is dear. Verily the sons are dear (to the parents) not for the sake of sons, my dear, but it is for the sake of parents that they are dear.” (Muller, 1962 p387) One can say that according to the Brihadaranyaka Upanishad, the stage of Grihastha is an important stage as it is in this stage that the family unit, which is the support of societies, is established. Furthermore, it is also in this stage that parents derive the many benefits from having children. The Satapata Brahmana elucidates one of these benefits. “Whoever possesses offspring,



though he, of his own self, be one only, yet that offering is made tenfold by his offspring, hence offspring means more abundant offering.” (Eggeling, 1988 p226)

The Brihadaranyaka Upanishad treats the significance of progeny emphasizing an important benefit: “When a man thinks he is about to depart, he says to his son: ‘Thou art holy knowledge. Thou art sacrifice. Thou art the world.’ The son replies; ‘I am holy knowledge. I am sacrifice. I am the whole world.’” (Hume, 1954 p89)

When a man who has this knowledge departs from this world, he enters into his son with these vital breaths (that is, faculties: speech, mind and breath) and whatever wrong has been done by him his son frees him from it all. Therefore he is called a son (Putra). By his son a father stands firm in this world. Then into him who has made over to his son his mortal breaths enter those divine immortal breaths. (Hume, 1954 p90)

Therefore, one sees that a father may gain immortality from progeny. The Rg Veda concurs when it relates that Agastya, a rishi sworn to chastity, gains immortality by having a child. Copumudra, Agastya’s wife approaches him to have a child although Agastya was an ascetic. Agastya yielded and the both of them by uniting, achieved both forms of immortality, spiritual and corporeal. (O’Flaherty, 1981 p251) It is for this reason that teachers (or gurus) who, themselves may be vowed to chastity instruct their pupils to “cut not off the line of progeny.” (Hume, 1954 p281) The Taittiriya Upanishad further emphasizes that “one of the most important of all duties is the securing of progeny.” (Hume, 1954 p28) The Aiteriya Upanishad says that a husband prays: “Let me have a wife, so that I may be born (as a child).” (Hume, 1954 p11) One may therefore conclude that, according to the Shruti texts cited, the begetting of progeny is central not only to the grihastha ashrama but also to the married Hindu. This view is emphasized in the Smriti texts as well.

In the Linga Purana it is said that:

Adhishyanti who was distressed by the loss of her husband beat her belly; the abode of the child in the womb. Her mother-in-law said thus: “O silly woman,

tell us how you have attempted to destroy the family of Vasista by striking at your womb. For seeing your son, the child born to Sakti, and for tasting the nectar of the boyish face of the noble son, the leading sage decided to preserve the body. Hence protect your body O lady of good holy rites, since the life of the sage and that of mine depend on you, you should preserve your life. As a nurse do what is beneficial to us.” (Shastri, 1973 p252)

So, the “chaste wife of Sakti preserved the child in the womb with great difficulty for the continuity of the family line.” (Shastri, 1973 p252) Furthermore, “when the son of Sakti incarnated on Earth, Sakti abandoned his sorrow and attained equality with the Pitrs.” (Shastri, 1973 p252) One may therefore conclude that progeny is important for the continuity of the family line. This was so important that even the great sage Vasishtha considered it more important than moksha. He chose to attain moksha through celibacy and ascetism but instead preserved his body so that he may father a child.

“The Hindu Shastras considered marriage to be a religious institution. Marriage is the last of the ten purifying sacraments or Samskaras in a Hindu’s life. It is enjoined upon man for procreation and the begetting of sons to continue the family and offer oblations (eg. Pinda).” (Sitaram, 1989 p31) In this regard Pandey elaborates further:

For several reasons, marriage was held in high esteem among the ancient peoples. Doubtless, in the early pastoral age and even agricultural times economic and social causes were at the basis of this system. Large family was a blessing, marriage was a family affair rather than a personal one; indeed the generation of offspring was the supreme motive of every union to the end that a man’s home or family may not die out. Then religious motives were equally operative in assigning such a great regard to marriage. Worship of ancestors and gods was dependent on progeny, which could be obtained only through marriage. In later development of Hinduism, the last idea became more prominent than the social or economic ones. (Pandey 1969 p155)

The Mahabarata also advises that people should procure progeny: “Thrive, son, with all effort

for the continuance of our family, for your own sake as well as for ours -- for such is the Law, O Lord. For by neither merits of Law, nor great austerities do people in the world gain the god that others reach by having sons." (Van Buitenen, 1973 p250) It is therefore clear that progeny are important for the continuance of the family line, which in itself is a very important duty for the Hindu.

The securing of progeny also has profound religious significance. Pandu says in Mahabharata:

For a childless man they say, my Lord, there is no door to heaven. Therefore, I who am childless am much troubled, I declare to you. The sons of man are born on earth with four debts which are to be paid to the ancestors, Gods, seers and men, a hundredfold, a thousand fold. The man who does not heed them when their time comes is destitute ... with sacrifices, he pleases the Gods, with study and austerities, the seers, with sons and shraddas, the ancestors. Pandu even advises his wife to choose a Brahmin to beget a son. Pandu says further: "Ye fortunate one, it is said for a sonless man there is no admittance into heaven. I am sonless. In affection I speak unto you. I am afflicted because I have not been able to discharge the debts I owe to my ancestors. It is certain that with the dissolution of this, my body, my ancestors will perish". (Van Buitenen, 1973 p270)

The Brihadaranyaka Upanishad endorses that man has to fulfill these debts. "For the enlightened man, the three debts act as impediments in the way to his attaining the world of men, manes and gods as is established by the Vedic texts." (Muller, 1962 p85)

Progeny is important for the performance of the shradda and for the discharging of the debt to one's ancestors as detailed in the Agni Purana: "The soul of a man's forefathers, afraid of being led to nether regions, pray for the birth of a son in the family, so that he may visit the sacred Gaya, perform their obsequies therein and may thus lift them up from the palpable and impenetrable darkness of the lower worlds." (Shastri, 1967 p450) The offering of the pinda (balls of rice) is an important part of the shradda ceremony performed for the departed soul. Householders are therefore advised to have children so that the Pinda (balls of rice) offering to the Pitrs (ancestors)

will not cease. The performance of this ceremony is important not only for the liberation of the ancestors but also for the performer of the ceremony.

The spiritual benefit of having progeny as suggested by the Matsya Purana is that begetting progeny, being one of the seven ashrama dharmas assists one in going to heaven. (A Taluqdar of Oudh, 1980 p35)

Manu also claims that: "Marriage and procreation of children lead to one's union with Brahman." (Banerjee, 1979 p47) Banerjee commenting on the Ordinances of Manu elaborates that the sole object of marriage was for procreating a son regarded as the incarnation of the father. (Banerjee 1979 p53) Manu also stresses the religious significance of a son when he comments that a son who performs meritorious acts "liberates from sin ten ancestors, ten descendants and himself as the twenty first person." (Hopkins, 1971 p49) He also comments that the "virtuous son of a (wife married by the) Brahmana rites frees pitrs from sin". (Hopkins, 1971 p49)

Manu also provides a somewhat different approach when looking at progeny when he says that the "husband entering into the wife and becoming an embryo, is born again on earth; for this is the wifeship of the wife (jaya), in that (the husband) is born (jayate) through her." (Hopkins, 1971 p246) The fact that the father is born again in the child through the mother is a very significant occurrence for the father, mother and child. This is a uniquely Hindu thought when one looks at conception and has important implications for the question of abortion. In implying that progeny is seen as the birth of the father in the child, even if one may interpret this to mean that the father lives through the child, it is still significant that the child is seen as an incarnation of the father as it may be argued that when we abort the child we abort the father.

The Bhagavata Purana<sup>8</sup> also extols the benefits of having children. "The Samnyasa life (life of a recluse) being devoid of the pleasure (derived from the company) of sons (grandsons) etcetera is definitely dry and useless, while (the life of) a householder accompanied as it is with sons and grandsons is sweet and charming in the world." (Tagare, 1979 p180) In this sense, children are not seen as a means to an end but as bringing inherent joy. The Shrimad Bhagavatam also stresses

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<sup>8</sup>Bhagavata Purana and Shrimad Bhagavatam are used interchangeably.

the importance of children when it affirms that “there is no glory greater than being the father of a son.” (Subramaniam, 1981 p293)

From the above discussion, the Smriti texts reveal that marriage is important because it is through marriage that one secures progeny and it is through progeny that the continuation of the family line is ensured. Furthermore, it is through progeny that various important religious duties are observed and through progeny one can gain moksha, which is the quest of human existence.

Having considered the Grihastha ashrama in terms of how and why it is such an important ashrama, it is necessary to consider some of the duties of a husband and wife and to consider the general spirit and atmosphere that ought to exist in a Hindu marriage. Such consideration should afford greater insight into the Hindu approach to abortion. The Grihastha ashrama centres around marriage and a household. It is possible to infer, from the Hindu scriptures, what an ideal marriage is: what the duties of husband and wife are and what the nature of the marriage should be.

With regard to the lady in a Hindu marriage, Manu states that: “To bear children, to take care of them when born and to oversee personally the ordinary affairs of life, each for each depend on the wife.” (Hopkins, 1971 p249) He further states that women “are created in order to bear children and men in order to beget prosperity, therefore common religious duties (for the man) with his wife are declared in revelation (Shruti).” (Hopkins, 1971 p261) The Minor Books as discussed above see the wife as a field for the propagation of children and the husband as the giver of the seed - the child being the fruit. (Jolly, 1969 p169) One immediately sees that a Hindu marriage centres around progeny. Hindu scriptures have therefore given careful consideration to sexual union in a marriage and established the duties of both husband and wife in this regard.

A husband is compelled to have sexual union with his wife as detailed in the Matsya Purana and “the husband who does not is guilty of a sin equal to that of the slaying of a Brahman.” (A Taluqdar of Oudh, 1980 p157). The slaying of a Brahman is a particularly heinous deed and to neglect one’s duty as a husband in this regard is equivalent to that.

The Garud Purana states that men who have sexual intercourse for procreating “tide over the evils

of life.” (Shastri, 1968 p728) A husband is encouraged to have sexual intercourse with his wife only, and that too for the procreating of children.

The Mahabarata establishes the duty of the wife in this regard: “It hath also been said by those acquainted with the rules of morality, when her monthly season cometh; she must ever seek her husband, though at times she desireth liberty.” (Ganguli, 1981 p255) The Mahabarata states further that a lady “who is enjoined to her husband to conceive a child and refuses to so shall incur a sin equal to aborticide.”<sup>9</sup> (Ganguli,1981 p254) The Hindu marriage is therefore a sacred partnership entered into with the paramount duty of securing progeny. Any deviation from this duty is considered very sinful, as detailed further in the Mahabarata:

Women transgressing the limits assigned by the rishi (Svetaketu), that is, refusing to have children, become guilty of slaying the embryo. And men too, isolating a chaste and loving wife who from her maidenhood observed the vow of purity, become guilty of the same sin. The woman also, who being commanded by her husband to raise offspring, refuses to do his bidding become equally sinful. (Ganguli, 1981 p252)

Hinduism recognizes that a married couple may not be able to procure progeny due to infertility. In early times, therefore, the procuring of progeny was allowed using the practice of niyoga. Manu explains: “When there is a lack of offspring, the progeny issued further may be procured by the wife being regularly commissioned (to see children generated) by the brother-in-law or some blood relative of the husband’s family.” (Hopkins, 1971 pp253-54) The Minor Law Books indicate that “should the husband of a childless woman die, she must go to her brother-in-law through desire to obtain a son after having received the (required) authorization from the Guru and he (the brother-in-law) shall have intercourse with her till a son be born. When a son is born, he must leave her. It will be sinful intercourse otherwise.” (Jolly,1969 p181) The Minor Law Books also make provision for a childless man to “approach a woman who has brought forth male issue and who is praiseworthy, free from passion and without amorous desire in order to have a child ... For this (custom and practice) is used when the family threatens to become extinct and for the

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<sup>9</sup>Aborticide is the killing of the embryo and is considered to be a sin.

continuation of lineage and not for amorous desire.” (Jolly,1969 pp181-82))

The quest for progeny is such an ardent one that Hinduism even allowed the practice of niyoga. It is strikingly ironical that a tradition that valued chastity so dearly in a marriage could allow the practice of niyoga albeit with the understanding that the sexual union can be without passion or amorous desire. However, the quest for progeny exerted a pervasive influence on Hindu thought in those early times. This is further elucidated when Manu states that “the husband may abandon his wife in the eighth year of marriage if she is barren, in the tenth year after marriage if none of her children can survive, in the eleventh year after marriage if she bears only daughters.” (Banerjee, 1979 p167) It may be argued that this is not a very ethical approach, but it serves to emphasize how important progeny was considered to be.

The Hindu marriage ceremony reflects in numerous ways that the sacrament is essentially for the procurement of progeny. The Samskaras instruct that “the marriage ceremony should leave out the norms which give wicked progeny and that people should always accept marriages of high norms which in turn become the source of excellent progeny.” (Shastri, 1985 p178) Furthermore, it says that “chastity in a marriage is praiseworthy because the chaste man and chaste woman increase the prosperity of the children.” (Shastri, 1985 p181) Chastity is not important for chastity’s sake or for the couple’s sake but for the children’s sake.

In Vivaha Samskara it is said that when “the time of marriage is fixed, the girl should get the bridegroom carefully examined indirectly by experienced men and in the same manner the bridegroom should get the bride tested indirectly through experienced ladies” (Shastri, 1985 p181) to ensure that both are capable of having children.

In the marriage ceremony, the bridegroom prays that the “master of the world, (should) make this bride an ideal custodian of maternity who abiding in the sacrosanctity of the procreative function of the household life submits herself to her husband’s impregnation and in whom are destined many desired ends of life.” (Shastri, 1985 p197) In the Grihya Sutra, it is said that the bridegroom should pray: “Well, let us here marry. Let us beget offspring. Let us acquire sons who may reach old age.” (Oldenberg, 1963 p36)

The husband prays further, in the Vivaha Samskara: “may the all creating, super excellent God bless this my wife with offspring.” (Shastri, 1985 p211) In the very significant seven steps in a Hindu marriage ceremony, the fifth step is to be blessed with progeny. (Shastri, 1985 p218) Therefore, it is clear that the Hindu marriage ceremony too emphasizes the importance of progeny. Manu explains the importance of the wife performing her duties to her husband: “She who controlling her thoughts, speech and acts, violates not her duty towards her lord, dwells with him (after death) in heaven, in this world is called by the virtuous and faithful (wife, sadhvi). But for disloyalty to her husband a wife is censured among men, and (in her next life) she is born in the womb of a jackal and tormented by diseases, the punishment for her sin.” (Hopkins, 1971 p112) He further states that the husband “who carefully guards his wife, preserves (the purity) of his offspring’s virtuous conduct, his family and his (means of acquiring) merit.” (Hopkins, 1971, p112)

Having established clearly the duty of a lady and a man in a marriage and the purpose of marriage with regard to progeny, one must look at the Hindu marriage with due consideration to the fact that it is a partnership with a spiritual purpose.

Ram in the Ramayana aptly describes the ideal relationship between husband and wife in his description of Sita. “In council, she is my counsellor, in activity she is my servant, in religious performance, she is my partner, in tolerance she is like the earth, in affection she is like my mother, in bed she is like the celestial Rambah and in play she is my companion.” (Sivananda, 1981 p12) Professor Radhakrishnan elaborates: “marriage is a sacrament for a Hindu. The wife is his partner in life. She is Ardhangeni. He cannot do any ritual without her. She stands by his left side when he performs any religious performance. Husband and wife keep Rama and Sita as their ideal.” (Radhakrishnan, 1927 p178)

The various mantras of the Vivaha Samskara, the various procedures (circumambulating the fire, the taking of the seven steps, the recital of the prayers together) all underline the partnership-like nature of the Hindu marriage. The Hindu marriage is a partnership in which the wife is equal to the husband. The husband provides for and protects the wife; the wife provides companionship and progeny. In fact this partnership is so close that it is said that he “only is a perfect man who consists of (the three persons united) his wife, himself and his offspring; thus (says the Veda), and



(learned) Brahmans propound this (maxim) likewise. The husband is declared to be one with the wife." (Hopkins, 1971 p242) Even in decision making in a marriage, both husband and wife should have a say in the decision since it is such a close partnership. It is therefore, unthinkable that either wife or husband will have the absolute right to make decisions that affect the marriage. It is also clear that their individual rights will take second place to the common good of the marriage.

This partnership is very visible in the procuring of progeny. In the Samantonnayana Samskara, the wife says: "My husband who is potentially vigorous to establish the germ fluid in me, who is desirous of a son or vigorous child. May my husband be free from all evils and *accompany* me with vigorous child." (Shastri, 1985 p80) The husband likewise pays tribute to the wife: "I the husband, make happy, with offering the pot of ghee in the fire of the vedi, my wife also understands her custodian of household affairs, becomes fully concordant with me. I thank you, O lady; the accomplisher of all domestic purposes. I hail the glory of this lady who accomplishes homely works, gives all the deserved things and is mighty force of the house." (Shastri, 1985 p80) In a Hindu marriage therefore, there is supposed to be a very close relationship between husband and wife. Furthermore, the husband too is very involved in the upbringing of the children. The wife has a quiet, obedient respect for the husband and the husband happily cares for and protects the wife. There is a great sense of togetherness in a Hindu marriage. It is a close association wherein mutual respect, understanding and affection collude for a mutual purpose: the securing of progeny. The Hindu marriage is a spiritual union with a spiritual purpose, being the securing of progeny who in turn secure the spiritual liberation of the married couple and their ancestors. If the grand purpose of a Hindu's life is to attain liberation (moksha), then marriage and the consequent begetting of progeny is one of the means.

Women in a Hindu marriage are given pride of position as explained by Radhakrishnan:

So long as children cannot be shaken from heaven, but have to be built within their mother's bodies, so long there will be a specific function for women. As the bearing and rearing of children take a good deal of their time and attention, women were relieved of the economic responsibilities for the family. While men are expected to see to worldly pursuits (yajnapradhanya), women are

capable of great heights of self control and self denial (tapakpradhanya). The strict code of morality applied to women is really a compliment to them for it accepts the natural superiority of women. (Radhakrishnan, 1927, p 89)

Pregnant women are also afforded very special care, attention and respect. This is evident from the fact that pregnant women are offered special privileges. (Kane, 1968 p 57, Hopkins, 1971 p242) Even in punishment, pregnant women are allowed certain leniencies as, for example, when Manu states that anyone who dirties the king's high road should be made to pay a fine and clean the road but in the case of a pregnant woman, an aged man or a child there should be no fine. (Buhler, 1886 p392) This special treatment and appreciation for women is an enduring one as described by Ram: "The women of our family are virtuous, sincere and extremely attractive. They perform obligatory rites or yajnas of the Grihastashrama most efficiently. They attract the best in commodity goods, wealth and possessions, they promote immense happiness by bearing children, preparing food and caring for animals." (Ram, 1990c p26)

In the Hindu marriage, the wishes of a lady should be considered equally with that of a man provided that the good of the marriage is not affected. Women are not seen as subservient to men but rather as equal to them, if not superior. In asserting this equality, both husband and wife should work tirelessly for the good of the marriage and to fulfill the purpose of the Hindu marriage which is the procurement of progeny.

In concluding this discussion of the grihastha ashrama, it is necessary to emphasize that it is the most important of all the ashramas as detailed in the Bhagavata Purana. "Here (in the life of the householder) one attains purusharthas called dharma (righteousness), artha (wealth) kama (pleasure of the senses). It is here that one gets the glory of begetting progeny, immortality (i.e. liberation, moksha), fame and regions which are free from sin, sorrow which even recluses do not know." (Tagare, 1979 p588) Pandey quoting the Smritis states that: "one who longs for imperishable heaven and happiness in this world would uphold the Grihastha Asrama ..." (Pandey, 1969 p154)

### 3.3.2.3 Vanaprastha

The third asrama is called vanaprastha or retired life. In this stage, one prepares to free oneself from all family connection in anticipation of the next stage. "Vanaprastha is an intermediate stage between grihastha life and complete renunciation. In the vanaprastha asrama, the husband and wife discontinue sexual relations, but the wife may remain with the husband as his assistant." (Satvarupa, 1977 p69)

#### 3.3.2.4 Sannyasa

The final stage is sannyasa. In this asrama, the husband takes leave of his family, traditionally after having had a family, approaches a sannyasi and asks to enter the renounced order by Vedic ceremony. He spends the rest of his life in the contemplation of God.

From the above discussion, it is clear that Hinduism recognizes that man is a social being and has established a social system to complement that. It is also clear that man has various social responsibilities that have been detailed above. It is the performance of these social duties that foster the spiritual quest for liberation.

The Hindu view of life will be critically incomplete if one did not consider the Law of Karma and the concept of reincarnation. These are pivotal to any consideration of the Hindu viewpoint on abortion.

### 3.4 Karma

Karma, being one of the tenets of Hinduism, is fundamental to any consideration of ethical issues in the Hindu tradition. Karma is a cornerstone of ethical thinking in Hinduism.

#### 3.4.1 The Origin of the Idea of Karma

"In making the assumption that the soul is immortal and eternal, the Upanishadic sages confirmed that the soul's experiences with the world of matter was only part of an endless cycle known as samsara." (Burnett, 1992 p71) Similarly action, that is given with life on earth, is also an event in this cycle. Karma is the link between action and this cycle of life and death.

“The word karma comes from the root kr meaning deed or action, but it has subsequently come to have a broader meaning referring both to actions and their consequences.” (Burnett, 1992 p71) The doctrine of karma being closely related to the concept of reincarnation may have emerged from the Vedas: “In the Rg Veda, the soul of the dead is carried aloft by the fire god, Agni, who consumes the material body at cremation, to the heavenly world where it disports itself with the god in perfect, carefree bliss.” (Burnett, 1992 p72) It can be seen that in the Rg Veda, the term karma is used for a religious rite. It was believed that every sacrifice produces its appropriate results or “fruit”. Karma gradually came to be generalized from religious acts and presently refers not only to acts but also to their consequences. “Radhakrishnan traces Karma to the concept of eternal law, or Rta. Rta is the orderly pattern seen in nature with the movement of the planets and the agricultural cycle, but it also relates to the pattern of human conduct and sacrificial acts.” (Burnett, 1992 p72) Clearly, karma or action, or human conduct is closely related to an eternal law or Rta. While in Vedic times, karma may have only referred to sacrificial acts, later karma came to be generalized as all action. Actions are governed by an eternal law, Rta, which ensures the orderly pattern in nature. Karma is a cosmic law that serves this orderly pattern in nature by governing man’s actions. Karma, while closely related to individual actions has a greater cosmic purpose. Action is related to samsara, the cycle of birth and death and the consequences of action impacts on the present life and future lives as described in the doctrine of reincarnation. The necessity to perform good therefore promoted not just individual good but also cosmic good as action is related to Rta. The necessity to perform good actions is also cosmic.

The Doctrine of Karma as it relates to reincarnation was first revealed in public in Upanishadic times when Yajnavalkya explained to King Janaka using the analogies of the caterpillar and the goldsmith. “Now as a caterpillar comes to the end of a blade of grass, in taking the next step draws itself together toward it, just so this soul in taking the next step strikes down the body, dispels its ignorance and draws itself together for making the transition.” (Radhakrishnan, 1927 p74) Using the analogy of a goldsmith, reincarnation may be explained thus: “as he, taking a piece of gold, reduces it to another newer and more beautiful form, just so the soul, striking down the body and dispelling its ignorance, makes for itself another newer and more beautiful form like that either of the fathers, or of the Gandharvas, or of the gods, or of Prajapati, or of Brahman, or other beings.” (Radhakrishnan, 1927 p74) These analogies beautifully illustrate the concept of reincarnation in Hinduism. A close analysis of these analogies reveal that the soul is the master

or controller of its own destiny; it chooses when to leave the body and what kind of body to assume next. This would imply that the soul has desires and that the soul determines the time of death. Hence, the individual ought not to concern himself with death that is seemingly predetermined. Furthermore, one's life form is also determined by the soul. One can therefore argue that one can commit suicide using the explanation that the soul manipulated the brain to cause the individual to do so and therefore justifying suicide. One may even justify murder by extrapolating the same argument. This line of thinking is incorrect. In fact, it goes against the fundamental basis of the Law of Karma which places the responsibility for and choice of action squarely on the shoulders of the individual. The Law of Karma is not fatalistic. In considering the analogies above, it must be understood at the outset that the soul is perfect and desires nothing. Therefore, it is untenable that the soul can desire or determine when to leave the body. Birth and death are not necessarily controlled by the soul. Hindus also believe that the individual is not just a physical body but also has a subtle body (sukshma sarira) and an atman (soul). It is the subtle body that transmits our karma, our instincts, our inner personalities and our soul from body to body. It is therefore sensible to argue that the subtle body determines when the soul should transmigrate. Hence the responsibility still remains with the individual and not with the soul. The individual determines his or her own future. The subtle body that determines when the soul leaves the body and takes another is a product of his or her own action. This transmigration of the soul is closely linked to the Law of Karma. The Law of Karma originated in Vedic times and as explained above came to be related to action and the consequences of action including reincarnation as early as in Upanishadic times. In more recent times it has come to be a comprehensive doctrine on action.

### 3.4.2 The Law of Karma

Any thought, any deed, any word together with its consequences is a karma. The Law of Karma refers to the law of causation. Wherever there is a cause, there an effect must be produced. Cause and effect are two inseparable sides of the same coin. "A seed is a cause for a tree which is the effect. The tree produces seeds and becomes the cause of seeds." (Sivananda, 1981 p72) The Law of Karma presupposes that all wilful actions have consequences, underlining that people have to be accountable for their actions. In other words, we reap as we sow. "If you sow the seed of evil action, you will reap a harvest of pain and suffering. If you sow the seed of virtuous action, you

will reap a harvest of pleasure. This is the Law of Karma.” (Sivananda, 1981 p73)

“In the Bhagavad Gita, the formulation of the Law is more astute and relates specifically to action which is performed with the aim of achieving some result or which arises from desires that bring about karmic effect. Actions which are performed in a disinterested way and stem from no desire, have no karmic effects.” (Burnett, 1992 p74) Karma therefore in its “purely ethical sense is insistent on ‘disinterested action’”. (Srinivasachari, 1943 p29) In this sense, action should be performed without any interest including selfless ones. “Even the love of humanity is from disinterested motives and is not prompted by sentiment.” (Srinivasachari, 1943 p29) One therefore should perform action for action’s sake rather than for the fruit of those actions as stated in the Bhagavad Gita: “Thy concern is with action alone, never with results. Let not the fruit of action be thy motive, nor let thy attachment be for inaction.” II, 47 (Sastry, 1977 p63) Hinduism, recognizing that man cannot exist without action, advises that action should be performed but in a disinterested way, not stimulated by desire or propelled by the fruit of action. It emphasizes that one must perform one’s duty as that is obligatory on every individual but in performing one’s duty, one should not be attached to the fruit of such accomplishment.

The Law of Karma instructs that every action has an inseparable reaction. However, it is quite possible to detach oneself from the fruit of action. To do this, one has to use one’s faculty of judgement and forethought. “Knowledge and action are the obverse and reverse of the same law of duty and represents its static and dynamic sides. Thus practical reason has a theoretical and practical side and both point to the same truth. When the truth is perceived, karma ceases to be karma for it does not cling to the doer.” (Srinivasachari, 1943 p61) Action performed without consideration for the fruit of the action cannot cling to the doer and hence does not have karmic consequences. To contrast this with motivated action (or *kamya karma*), the Bhagavad Gita explains that “while *kamya karma* makes man the creature of sensibility and environment, the imperative of morality as disinterested action duty has its own intrinsic value of dignity, purity and sublimity. *Kamya karma* has only market or commercial value and makes man the slave of passion and of the propulsion of the senses. But the moral law fosters self sovereignty by purifying the motive of conduct and raises man from animality to true humanity.” (Srinivasachari, 1943 p74) Disinterested or non-attached action means that one is not affected by the fruit of action. Whatever fruit are reaped from one’s action should not make one egoistically ecstatic or

depressed; one must accept the fruit as the grace of God. Hinduism accepts that action arises out of desire and hence desireless action is not possible; however, one's reaction to the fruit of action is controllable and should be accepted with equanimity.

The Law of Karma states further that actions performed in accordance with dharma have good consequences, and those in accordance with adharma have bad effects. (Burnett, 1992 p75) As the Law of Karma cannot be escaped, people will inevitably suffer for the evil which they commit and will enjoy the rewards of their good actions. The karma a person carries is constantly and continuously dynamic, changing with every action. Karma being as dynamic as it is should be seen as a catalyst for good deeds. Even if one performs a horrific deed now, the dynamic nature of karma does not allow one to be doomed forever. "Forgiveness" or punishment for a deed rests with the individual. The individual by performing good deeds dilutes the evil he or she may have committed earlier and evil deeds cause the reaping of more evil fruit. The Law of Karma is therefore a law of hope and caution.

One has to consider action more closely. The Bhagavad Gita analyses voluntary action into five factors: adhistana, karta, karana, cesta and daiva. In every moral act is a conative process involving all these elements. Adhistana refers to the body which is the medium for action, karta is the finite self who is the doer of the karma. The karana is the cognitive and conative organs which produce the apparatus of voluntary action and the couplet of the stimulus-reaction mechanism. Cesta refers to the activity of the prana sustaining the body and its functioning. The last and most important factor is daivam or the Supreme Self who is also the Inner Self of the individual, the prime cause of all conduct. (Srinivasachari, 1943 p13) It is the daivam which is the primary motivation for good action; it is the daivam that provides the pool of deeds called good and hence provides the alternative to evil action.

Dasgupta elaborates: "Each of us constitutes a world by himself and is seldom conscious of the mystery he is carrying within. We move like robots without being conscious of it, and respond with animal impulses to the happening outside, without reflecting on them. But we can be alert and create ourselves anew and spin out an ideal destiny for ourselves. This is the supreme truth of the theory of Karma." (Burnett, 1992 p83) We have a repertoire of good action within ourselves which we can choose from and direct ourselves in the right direction. This repertoire is called

daivam. This emphasizes that every individual has the free will to choose between good and evil; the good coming from daivam.

“The supremacy of free will is not compromised by the Law of Karma. You can make your karma what you choose. You can rise to a very high state of perfection. You can become Indian, you may become a perfect Yogin. You can change your character, thoughts and action.” (Sivananda, 1988 p77) Rambachan writes that “the law of karma emphasizes free will and insists upon responsibility. If my past actions have led to my present condition, then by control of my present actions, I will be able to influence my future condition. Karma places the responsibility squarely on our shoulders since it does not propose a power outside ourselves which is responsible for our individual and collective destinies.” (Rambachan, 1992 p21) While our past actions may influence our present condition, the Law of Karma does not advocate fatalistic resignation to our present condition. Instead it serves as a catalyst for the improvement of our lot. Our present condition has been painted by our past action, but the brush and paints for the picture of our future lives is in our present hands. While we may have painted ourselves into the present picture, we have the ability and resources to paint the next picture. What the next picture will be is in our hands.

Swami Sivananda explains that “Every action produces a threefold effect. It gives you an appropriate reward or fruit. It also affects your character. It leaves behind an impression in your mind. The impression will urge you to repeat the act. (It also) produces an effect on the world.” (Sivananda, 1988 p73) The past, present and future are linked: what we do now affects what the future holds for us and the present will soon be the past. The connection between past, present and future is absolutely continuous and therefore, we can determine our future presently.

Thirdly, the Law of Karma states that: “the manifestation of consequences are not necessarily immediate in this life but may be in some future life. Actions may have immediate effects and or delayed effects. The immediate effects visible and invisible which actions produce are phalas. Samskara, on the other hand, is the invisible disposition produced in the agent as a result of the actions, in other words, actions produced out of greed tend to produce a greedy disposition and actions performed out of love produce a loving disposition.” (Radhakrishnan, 1993 p76) ✱

Chronologically, Karma may be differentiated into three kinds, namely, Sanchita (accumulated



works), Prarabdha (fructifying works) and Agami (current work). (Sivananda, 1988 p74) Sanchita Karma is the accumulated Karmas of the past and part of it is manifest in tendencies, in disposition, aptitudes and potential of a person. The part of Sanchita Karma which influences the present is the Prarabdha Karma; it is the Karma that has started to bear fruit. Agami Karma is that which is being made for the future. Hence, an action today may be influenced by the past Karma. The action in itself will affect the Sanchita Karma, the present or Prarabdha Karma and the future Karma or Agami Karma.

“In Vedantic Literature, there is a beautiful analogy. The bowman has already sent an arrow and it has left his hand. He cannot recall it. He is about to shoot another arrow. The bundle of arrows in his quiver on his back is the Sanchita, the arrow he has shot is Prarabdha and the arrow which he is about to shoot from his bow is Agami. Of these, he has perfect control over the Sanchita and the Agami, but he must surely work out his Prarabdha. The past which has begun to take effect he has to experience.” (Sivananda, 1988 p75)

It is this continuum that explains the purpose of life. “The human being is born because of the necessity to experience the effect of actions performed in previous embodiments. Birth is an effect and causes may be traced back to actions performed in earlier existences.” (Rambachan, 1992 p5) The doctrine of Karma presupposes that “the human person can undergo a series of transmigrations, allowing the rewards and punishments of past deeds to be manifest.” (Burnett, 1992 p76) Karma is the thread that joins all one’s embodiments into one continuum. Thus, for the Hindu, “Physical death affects only the physical body and cannot do harm to the other two bodies - subtle and causal. The only way it affects them is that they cease to function on the plane of the cosmos. They continue to exist and function in their own planes.” (Banerjee, 1979 p101)

It is important to emphasize that while on the one hand, one may argue that this is just one life among many that one has to live and hence one may argue that this life is not so important, as there are many to follow, one has to realize that the objective in each life is to end the cycle of birth and death. It is the Law of Karma that states “that the consequences of karmic actions are accumulated in the sense that the tendencies get stronger and bear fruit. Each person may be thought of as having a pool of karma, good actions emptying the pool and bad actions filling it. To be liberated all good and bad actions must be emptied.” (Radhakrishnan, 1927 p76) Hence, this life is an opportunity to empty the pool of karma: giving meaning to life and engendering a

sense of respect and gratitude for it. Respect and gratitude for life are basic human values that should and must be encouraged and protected. It is respect for human life that becomes a strong motivation for ethical behaviour while gratitude for human life is a personal acknowledgement of the value one places on this gift of life.

It is also necessary to emphasize another important concept arising out of the doctrine of karma as it relates to the subtle body and the concept of reincarnation. As has been illustrated, it is the subtle body that is responsible for the transmigration of the soul from embodiment to embodiment. The process of transmigration is evolutionary and it is in the human state that intelligence or budhi is present. The human birth is highly evolved as compared to plants and animals. Therefore, even the foetus, although being physically small contains a very highly evolved subtle body and soul. Any argument that reduces the foetus to a mere physical entity is not taking cognisance of the highly evolved subtle body and the soul in the foetus. In fact this argument may be extrapolated to include all forms of life as Burnett writes: "Karma gives respect for all life. If all animals and insects have that spiritual entity that we may call 'soul' then one must treat all forms of life with ultimate respect." (Burnett, 1992 p82) The size or age of the living entity is not significant. The same respect shown to the adult should be shown to the foetus.

In concluding this discussion on Karma one has to consider why Karma is cardinal to Hindu ethics. Karma is a powerful motivation for ethical conduct as it emphasizes man's cosmic nature and man's interrelationship with his cosmos. Man has a cosmic duty and the cosmos contributes to man's existence. "The law of Karma is designed to evolve man to attain cosmic consciousness." (Banerjee, 1979 p98) Furthermore, the Doctrine of Karma is a strong motivation to perform good actions. It is through the performance of good actions that one achieves self-realisation.

### 3.5 Concluding Remarks

In this discussion of the Hindu world view, it is clear that man is considered a holistic being existing within a spiritual cosmos in search of his oneness with the Creator. Man is a cosmic being, a social being and lastly, an individual. He has social and cosmic responsibilities that if performed satisfactorily enable him to achieve the ultimate goal of human existence; one-ness

with the Creator. For Hinduism, the fact that man is a cosmic being means that the foetus is also a cosmic entity and belongs to the cosmos. Furthermore, man has the social responsibility to beget progeny. The begetting of progeny within the Hindu world view is not just an individual and private matter - it has implications for the society a couple lives in and the child is a cosmic being. The issue of abortion has to be considered within this world view to arrive at meaningful conclusions with regard to the Hindu view on abortion. Having considered the Hindu world view, it is important to consider the Hindu view of the foetus.

## CHAPTER FOUR: HINDUISM AND THE HUMAN FOETUS

### 4.1 Introductory Remarks

An understanding of the Hindu view of abortion necessitates a close analysis of the Hindu view of the foetus: its origins, its development and its socio-spiritual significance. Consideration has to be given to the scriptures of the Hindus in attempting to understand how Hinduism viewed the foetus not only from its physical development but also from its spiritual development and its spiritual significance. In this treatise, conception, the formation of the embryo, the development of the foetus and the status of the foetus in the Hindu tradition will be considered.

### 4.2 Conception of the Human Foetus

When the ovum and sperm unite, conception is said to have taken place. For the Hindu tradition, conception is viewed as a deeply spiritual occurrence as it is that process that initiates the manifestation of a new body as the soul continues its journey of self-realization. Consequently, the foetus is also seen as a very significant spiritual entity.

The foetus is considered to be of great significance in the Hindu tradition as indicated by the fact that conception is elevated to the level of a very important sacrament with very definite rules ensuring that conception occurs successfully. Conception was considered a divine act from the time of the Vedas as seen in this prayer from the Rg Veda:

Let Vishnu prepare the womb, let Tvastr shape the forms. Let Prajapati shed the seed, let Dhatr place the embryo in you. Place the embryo, Sinvali, place the embryo Sarasvati. Let the twins Asvins, the lotus-garlanded gods place the embryo in you. With golden kindling woods the Asvins churn out fire. We invoke that embryo for you to bring forth in the tenth month. (O'Flaherty, 1981 p291)

God in several of His manifestations is invoked to facilitate and allow the formation of the embryo. God is attendant at the various important steps culminating in conception and the

delivery of a baby at the end of the tenth month. It can be inferred therefore, that conception in being seen as a sacrament and worthy of the invocation of the Creator is viewed as a deeply spiritually significant occurrence.

The Rg Veda further underlines this theme when it elucidates that God in one of His manifestations as Agni (the God of Fire) is also invoked to protect the embryo:

Let Agni the killer of demons unite with this prayer and expel from here the one whose name is evil, who lies with disease upon your embryo, your womb. The one whose name is evil, who lies with disease upon your embryo, your womb, the flesh eater - Agni has driven him away with prayer.

The one who kills the embryo as it settles, as it rests, as it stirs, who wishes to kill it when it is born - we will drive him away from here.

The one who spreads apart your two thighs, who lies between the married pair, who licks the inside of your womb - we will drive him away from here.

The one who bewitches you with sleep and darkness and lies with you - we will drive him away from here. (O'Flaherty 1981 p282)

The spiritual significance of the embryo is without doubt since God Himself is responsible for its existence and its protection. If the embryo was not important, it would not be necessary for God to be attendant at its formation or to protect it. Furthermore, it is important to emphasize that even in these early times abortions or interfering with the unborn was strongly censured as seen above and that the foetus was worthy of protection.

Pursuing the theme that the formation of the embryo is considered a sacrament, the great importance that Hinduism attached to the foetus is illustrated by the prescription of certain significant prenatal Samskaras. These Samskaras were for the protection and physical and spiritual development of the foetus.

#### 4.2.1 The Samskaras

##### 4.2.1.1 The Garbhadana Samskara

The Garbhadana is the first of the Samskaras (sacraments) that is performed. This ceremony is one of the all important eighteen samskaras (sacraments) that Hindus should perform during their lives. This ceremony is “intended to sanctify the body and to deliver the individual from sin in this life and also after death”. (Banerjee, 1979 p93) The word Garbhadhana means the giving of a gift (dhana) to the womb (garbha). The foetus is seen as a gift to be appreciated and cherished. In the performance of this Samskara, Susruta prescribed that the lady should lie down on a mattress made of *Kusa* grass during the first three days of her menstruation. She should take her food from her own palms or from earthen sauces, or from trays made of leaves and not from any other container or utensil. She should live on a special diet and forswear even the sight of her husband during this time. On the fourth day she should take a ceremonial ablution, wear new clothes and ornaments and visit her husband after making the necessary benediction. The priest should be called upon to perform the Garbhadana ceremony.

The Garbhadana is performed on the fourth night following the menstrual period. When the wife is decently decorated, the husband recites Vedic verses containing similes of natural creation and invocations to God for helping the woman to conceive. (Pandey, 1969 p50). The time of conception is important as stated in the Shrimad Bhagavatam when Diti says to Kashyapa: “Look it is evening time; this is the wrong time to make love. It shows a lack of respect for the great Mahadeva.” (Subramaniam, 1981 p45) They would embrace at an auspicious time using verses containing metaphors of joint action of male and female forces. This is followed with prayers to God Pusan as an indication of the scattering of semen. (Pandey, 1969 p50) The Garbhadana samskara clearly verifies that men and women cohabit with the definite purpose of procreating children. This they do in a definite manner designed to produce the best possible children. Furthermore, the sexual act is imbued with religious serenity which was necessary for the consecration of the would be child. The whole sexual act is likened to an oblation which is a profound and deeply spiritual way for Hindus to demonstrate devotion to God. In the Chandogya Upanishad (see Chapter 3), the lady is revered as a sacrificial fire and the husband as a God, making an offering. The deep religious significance given to the sexual act elevates the act to way

beyond just the physical contact between a man and a woman for frivolous pleasure. When a man and woman have sexual intercourse they perform a deeply religious act; they perform a sacrament.

After the Garbhadana Samskara, there are various prenatal Samskaras to be performed for the protection, well-being and development of the foetus and the mother. The Agni Purana makes mention of three such prenatal sacraments or samskaras, the Pumsavana, the Seemantonnayana and the Jatakarma. (Shastri, 1967 p127)

#### 4.2.1.2 The Pumsavanam Samskara

The Pumsavanam (rite for the conception of a male child) follows the Garbhadana and should be performed as soon as the movements of the foetus are felt in the womb and the Seemantonnayana (the sacrament of the parting of the hair) in the sixth or eighth month of the gestation. (Shastri, 1968 p261)

The Pumsavanam is normally performed in the third or fourth month of pregnancy. The pregnant woman was required to fast, then to bathe and put on new clothes. Sprouts of a banyan tree are pounded and the juice is inserted into the right nostril with recitation of sacred verses. The husband prays thus: "Unto thy womb let a foetus come, a male one, as an arrow to a quiver; let a hero be born unto thee here, a ten-months' son. Give birth to a male, a son; after him let a male be born; mayest thou be a mother of sons". (Pandey, 1969 p60) A medicinal herb was given to the lady with the verse: "The plants of which heaven has been the father, earth the mother, ocean the root, let those herbs of the gods favour thee, in order to acquire thee." (Pandey, 1969 p 60) Thereafter, a dish of water is placed on the lap of the lady.

This samskara has always been considered to be one that had the express purpose of producing male progeny. However, according to Saunaka, this rite should be repeated in every conception, irrespective of the sex of the unborn or the number of children "because by touching and feeding, the foetus becomes purified; moreover by the force of the verses recited in this Samskara, one obtains the memory of past lives." (Pandey, 1969 p62) Hence, it is clear that while there is much importance placed on male progeny, there was greater emphasis on the well-being of the foetus irrespective of the sex of the foetus. The medicinal use of the banyan tree was helpful in the

removing of all kinds of troubles in pregnancy e.g. excess of bile or “burning” as elucidated by Susruta. (Pandey, 1969 p62) This samskara, it is evident, was founded on the medical experience of the people of that time. The placing of a dish of water was symbolic of life and spirit in the newborn child as water is a symbol of life. Furthermore, the recognition that plants owed their existence to various cosmic elements; earth, and water and the allusion to heaven in the father’s prayer indicates that all these factors have an important bearing on the well-being of the foetus.

#### 4.2.1.3 The Semantonnayana Samskara

The third prenatal Samskara is the Semantonnayana - the parting of the hairs of the pregnant lady. The purpose was partly superstitious and partly practical. (Pandey, 1969 p64) It was performed to ward off evil demons and to bring about prosperity to the mother and long life to the unborn child respectively. Physiologically, the fifth month of the pregnancy coincided with the formation of the mind of the foetus; a fact symbolically emphasized by parting the hair. Auspicious prayers were recited as the husband parted the hair of the wife upwards. This Samskara was a very strong reminder to the mother that she has to be particularly meticulous at this time as the formation of the mind of the foetus had begun.

These Samskaras allude to several very important and salient features about the Hindu view of the foetus. The Samskaras, being in themselves powerful spiritual sacraments to ensure the spiritual elevation, in being prescribed from before conception indicates that Hinduism attached great significance to the foetus - God in several of His forms has to be invoked to protect it. This is further emphasized by the ensuing pre-natal Samskaras. Furthermore, the foetus is not seen as a simple physical entity but as a spiritual entity. The Samskaras also underline the view that the foetus has to be protected - as it is important for the spiritual journey of the jivatma (individual soul) towards self-realization.

In the same vein, Hinduism makes various other prescriptions related to conception for the protection of the foetus, not only for its physical development, but its spiritual development as well. Susruta enlightens that:

A coordination of the four factors of menstrual period (Ritu), healthy womb (Kshetra),



nutrient liquid i.e. chyle of digested food (Ambu), healthy semen (Vija) and the proper observance of the rules is necessary for the conception and development of a healthy child just as the proper season (Ritu), good soil (Kshetra), water (containing nutrient matter) and vigorous seeds (Vija) together with proper care, help the germination of strong and undiseased sprouts. (Bhishagratna, 1991 V2 p129)

Sushruta indicates that the husband should on the fourth day following his wife's menstruation anoint himself with Ghrita, should partake of food composed of boiled rice, milk and clarified butter and then visit the bed of his wife. "The husband then having uttered the appropriate Veda Mantras and having awakened confidence in the wife should go unto her on the fourth, sixth, eighth, tenth or on the twelfth night of her menses for the procreation of a male child" (Bhishagratna, 1991 V2 p128) A visit to one's wife on the seventh, ninth or eleventh day leads to the conception of a female child.

Visiting of the wife during the first three days leads to the deformity or death of the child. "A child which is the fruit of a visit on the fourth day lives long, will be well developed and remain in full vigour of health." (Bhishagratna, 1991 V2 p129) Sexual intercourse during the first three days of the menstrual cycle and after the twelfth day is not advisable as these can lead to deformities and diseases in the child and the parents.

After impregnation, three drops of the drugs such as Lakshana, Vata-Sunga, Sahadeva or Visvadeva mixed with milk should be poured into the right nostril of the mother to ensure the birth of a male child.

The signs of conception according to the Sushruta are "salivation, heaviness, malaise, drowsiness, horripilation, distress in cardiac region, contentment, holding up of zygote in the uterus." (Sharma, 1981 p415)

The Hindus, as can be seen from the brief description above, had a very sophisticated understanding of the various elements necessary for the conception of healthy children. The foetus is therefore seen as being extremely significant for the Hindu tradition.

### 4.3 The Formation of the Embryo

While it is clear that conception is seen as a deeply significant spiritual occurrence, the formation and development of the embryo is equally significant. It is therefore important to consider the Hindu insights into human embryology.

The embryo is formed after a lady with undamaged genital passage, ovum and uterus cohabits with a man having undamaged sperms at the opportune time and in favourable conditions. During intercourse, his semen, the essence of all the sariradhatus, is extracted from his whole body impelled by orgasm. Thus being impelled by the self in the form of orgasm, the semen having potentiality of a seed, is ejaculated from the man's body and through the proper track enters into the uterus and combines with the ovum. (Sharma, 1981 p429) Very soon after the formation of the zygote, the life force or jiva enters into it. The combination of sperm, ovum and life-principle implanted in the womb is known as the embryo - the zygote is transformed into an embryo once the life-principle enters it: "the conscious (self) impelled by mind descends into the zygote situated in the uterus, the embryo is formed." (Sharma, 1981 p419) The embryo is formed by an aggregate of factors from the mother, father, self, suitability and nutrition.

It is vitally important to note that all these factors: mother, father, self, suitability and nutrition are necessary for the formation of the embryo.

If parents (alone) were capable of producing the embryo, the majority of men and women who have longing for sons should produce sons only by cohabiting with the desire therefore or those desiring daughters should produce the same. Moreover, none of the men and women should be childless nor should such persons be aggrieved (because of having no progeny). (Sharma, 1981 p419)

It is clear that parents alone, even if they are physically capable of conceiving, are dependent on other factors to allow the successful development and delivery of the foetus. These other factors will be considered more closely.

The self (the essential spiritual element) is also necessary for the development of the zygote into

an embryo. It is only when the self descends into the zygote, that the embryo is formed. The self on its own however cannot produce itself alone since the question that will arise is whether the self produced itself while being born or unborn; both situations being untenable. The born self cannot produce itself while being there as it is already there. If the self is unborn, it is non-existent and therefore cannot be born; something out of nothing is not possible. Furthermore, if it is the self alone that is responsible for formation of the zygote, and the self was able to produce itself, then the self may desire to produce a more enhanced self, choosing his desired species, endowed with supreme power and indeed, perfect. Therefore, the embryo is not produced from the self alone.

Suitable conditions must exist for the development of the embryo. The mother and father have to be physically capable of having children, the cohabitation has to occur at the opportune time and the mother must be able to sustain the pregnancy amongst many other factors. The suitability of the conditions are not enough in themselves or else, only people in suitable conditions will fall pregnant and where the conditions are not suitable, people will remain childless. However, as in the case where a lady is using a contraceptive - creating unsuitable conditions for conception - she may still fall pregnant and there are many cases where all the conditions are suitable but couples remain infertile. There are numerous instances (recorded and unrecorded) where couples, in whom all investigations reveal that there is no cause for infertility, are still not able to conceive. Hence, the suitability of the conditions is not the only factor in determining the success of conception.

Nutrition is considered an important factor in being able to successfully conceive. However, it is not the only factor. If it was, then it is fair to infer that all people who are well nourished will fall pregnant without the need for any of the other factors.

According to Charaka, all these factors are needed for conception to occur. The embryo is produced from a combination of all these factors - each factor making its own contribution. Various entities in the embryo are derived from the mother including "skin, blood, flesh, fat, navel, heart, kloma, liver, spleen, kidneys, urinary bladder, colon, stomach, intestine, rectum, anus, small intestines, large intestines, omentum and mesentry." (Sharma, 1981 p421) The head, hairs, beards, nails, teeth, bones, veins, ligaments and semen are derived from the father.

The self or atma, which is known as “jivatma” - the source of life which is “ever-continuing, devoid of illness, old age, death and decay; not subjected to incision, excision, agitation; having universal forms and actions, unmanifest, beginningless as well as endless and without any transformation” enters into the uterus and combining with sperm and ovum reproduces himself in the form of the embryo. *That “is why the embryo is called ‘the self’”.* (Sharma, 1981 p422)

It is imperative to seriously acknowledge that a significantly essential part of the embryo is the self - the embryo cannot exist without the self. Furthermore, this self cannot be born because it is beginningless and therefore, for the Hindu, birth is only a transformation in respect of age and conditions. (Sharma, 1981 p422) The embryo derives its particular species, life-span, self knowledge, mind, sense organs, respiration, impulse, sustenance, characteristic physiognomy, voice and complexion, happiness, misery, desire aversion, consciousness, restraint, intellect, memory, ego and will from the self. (Sharma, 1981 p422)

Suitability is another important factor in conception. The embryo in itself has no abnormality. It is the use of unsuitable things that cause sterility and abnormalities in the embryo. Unsuitable things cause damage to the sperm, ovum and uterus making it impossible to conceive. Unsuitable things include the use of harmful medications, incorrect diets, incorrect lifestyles (example severe physical exertion) and imbalances in the dosas. Freedom from illness and greed, cheerfulness of senses, excellence of voice, complexion and reproductive factor (sperm and ovum), and excessive stimulation are derived from “suitability” by the zygote. (Sharma, 1981 p422)

Nutrition is also important for conception to occur. “By malnutrition, conception of the embryo is not possible.” (Sharma, 1981, p423) The formation of the body, growth, continuance of the vital breath, contentment, corpulence and vigour are derived from nutrition.

Apart from these five factors, the psyche is also associated with the formation of the embryo. Together with the life principle (jiva), the psyche descends into the embryo. The psyche brings with it recollective knowledge: knowledge from the previous life. Inclinations, conduct, cleanliness, aversion, memory, attachment, detachment, envy, valour, fear, anger, drowsiness, vigor, softness, seriousness and other psychic features are derived by the embryo from the psyche.

The jiva together with the psyche now make contact with the five mahabhutas (akasa, vayu, tejas,

ap and prithivi). The jiva first takes up akasa (air) and then gradually each of the other mahabhutas. This whole process is complete in a subtle measure of time. The mahabhutas (akasa, vayu, ap, tejas) are all cosmic elements and the embryo owes its future development to these cosmic elements that are under the control of the jiva. These mahabhutas are used to facilitate the development of the embryo.

The embryo derives sound, the auditory organ, lightness, minuteness and distinction from akasa. It derives touch, the tactile organ, roughness, impulsion, shaping of dhatus and physical activities from vayu. Vision, the visual organ, light, digestion and heat are derived from tejas while taste, the gustatory organ, coldness, softness, unction and moistening are derived from ap. Prithvi makes provision for smell, the olfactory organ, heaviness, stability and mass. "Thus the person is equal to the universe. Whatever formed entities are found in the universe, they are also found in the person and vice versa." (Sharma, 1981 p430) Here one sees clearly that the embryo is derived from the cosmos and therefore the embryo is a cosmological being: being created of cosmological elements, existing within the cosmos and mirroring the cosmos in its composition. This inextricable connectedness of the foetus with the cosmos is extremely important in considering the Hindu position with regard to the foetus.

As can be seen from the above discussion, Hindus had a sophisticated and coherent understanding of human embryology. Furthermore, the Hindu approach to embryology extended to include the spiritual dimension and was not confined to the biological understanding of embryology. One may infer from this that the embryo for the Hindu is not merely a physical entity but more importantly a significant spiritual entity.

#### 4.4 Foetal Development

The embryo continues to develop into a foetus. As the foetus is not just a physical entity, it is important to consider both the physical and spiritual development of the foetus.

Susruta defines the foetus as: "The combined semen and ovum mixed with (the eight categories known as) the Prakriti and (her sixteen modifications known as) Vikara, and ridden in by the Atma (self-conscious self), is called the foetus." (Bhishagratna, 1991 V2 p159)

As has been indicated above, there is consciousness in the embryo. This consciousness is divided by Vayu (the vital force - one of the Mahabhutas) into Dosha, Dhatu, Mala, limbs and organs. In the further development of the foetus, the other Mahabhutas also play very significant roles in the development of the foetus. Tejas gives rise to the metabolism of the tissues, apa (water) retains a liquid state, Kshiti (earth) allows it to have the shape of the species it belongs to and Akasa (air) contributes to its growth and development.

The foetus is evolved out of semen, due to that activity at the root of which is Rasa (juice). There the first part of that is water. It is the heap pertaining to the moon. The second heap should be understood to have been born out of the heat of the womb. One should know that the semen is of the nature of the moon; and the menstrual blood is of the nature of fire. Emotional fervor follows Rasa. The moon and fire are present in the seed. The heat is the place of phlegm and the bile is established in the umbilicus. The heat is in the middle of the body and is remembered as the seat of the mind. The place in-between the umbilicus and the belly is the place where the Fire God is present. The mind is the lord of the subject. (Shastri, 1985 p410)

Charaka further explains that due to the action of the heat, the embryo begins to fuse and to increase in size. The wind containing the Atman then enters. This happens immediately at the formation of the zygote - at conception. The winds are Prana, Apana, Samana, Udana and Vyana. Prana increases the great Atman, Apana increases the hind body, udana (increases) half of the embodied soul, vyana is so called because it pervades the body. The samana makes it return. Then the elements are attained and they become perceptible to the sense organs. These elements are the Mahabhutas - earth, wind, fire, ether and water. Earth is responsible for the mass of the body. Air provides the vital breath. Pores and hollow cavities arise from ether. Exudations arise from the watery element. Eyes and the warmth of the body come from fire. The guide to this whole process is the mind. (Sharma, 1981 p428)

Charaka in his description of the development of the foetus elucidates that in the first month of gestation the embryo consists of the five primary elements (Mahabhuta - air, fire, earth, water and ether) that are acted upon by cold (Kapham), heat (Pittam) and air (Vayu or nerve force) causing

it to condense in the second month. In the third month five lump like protruberances appear at places where the five organs - namely the two hands, two legs and the head would develop from and the minor limbs and members of the body are formed in the shape of extremely small pupillae. In the fourth month all the limbs and organs (of the body of the embryo) become more potent and the foetus is endowed with consciousness owing to the formation of viscus of the heart. As the heart is the seat of consciousness, so as the heart becomes potent, it is endowed with consciousness and hence it expresses its desire for things of taste, smell, etcetera (through the longings of its mother). The foetus at this stage is able to express its desires. These desires are expressed via the mother. For example, the desire of a pregnant woman to see a divine image or an icon, predicts the birth of a child in her womb who would grace the council of an August assembly in life. This desire in the mother represents a longing in the foetus that originated in his or her previous life. In the fourth month, the foetus attains stability and the pregnant lady feels particular heaviness in the body.

In the fifth month, the foetus is endowed with mind (Manah) and wakes up from the sleep of its sub-conscious existence. The flesh and blood are developed more in comparison to previous months. In the sixth month the foetus is endowed with Buddhi or cognition. The foetus also develops more in respect of strength and complexion in the sixth month. The seventh month sees the greater development of the body and all its limbs. In the eighth month, the foetus and mother exchange ojas mutually. Parturition occurs in the ninth or tenth month after conception. (Sharma, 1981, p425)

For the foetus to develop well, it is imperative that the procreative factors (sperm and ovum) are without defect. Furthermore, the mother's conduct has to be excellent; she should eat nutritious food during the pregnancy and she should provide upasweda (heating) for the child. The passage of time and other natural phenomena are also important.

It can be easily appreciated from the above description of the development of the foetus that the cosmic elements are responsible for the development of the foetus. This is in contrast to western thinking that it is the mother alone who is responsible for the care and development of the foetus. Furthermore, the foetus has desires that he or she brings with him or her and that enter into the embryo with the psyche soon after the formation of the zygote. Subsequently, as early as in the

fourth month, it is able to “express” these desires and have them fulfilled by the mother. These desires are expressed even before the foetus has a highly developed central nervous system. Certainly, this represents a clear departure from western thinking where it is thought that desires can only be expressed in the post-natal period when sufficient psychological development has occurred.

The Garud Purana summarizes conception and foetal development as follows:

From hell or from heaven, a man enters the womb of a woman. At first he becomes manifest in the form of a bifurcated sperm; after that he assumes a frothy gelatinous form, after that blood is produced in its body, which looks like a lump of muscle flesh, from which limbs, fingers are found to sprout up, and the organs of smell, sight etcetera are gradually developed. After the evolution of the sprout like limbs are developed nails, fingers, and skin: and after that hair. The foetus lying with its head downward is born in the tenth month of pregnancy. (Shastri, 1968 p744)

It is interesting that even in early times, without sophisticated instruments like microscopes, the anatomy of the sperm was understood and there was already quite a sophisticated understanding of human embryology. Furthermore, the statement that the illusion of Vishnu “envelops the soul of man from the moment of birth” seems to suggest that the foetus would be able to remember its development in utero and to prevent this, the illusion of Vishnu envelops it.

In the development of the foetus, for Hindus there is an interplay between the cosmic elements, the vital self and the evolving zygote that is composed of the maternal and paternal elements. It is not possible to rate these factors in terms of importance; all are equally important and neither Charaka nor Susruta attempts to grant greater or lesser significance to any of these factors. In fact, the general impression one derives from the Charaka Samhita and the Susruta Samhita is that all factors are equally important. This has important implications when one considers that many abortions are motivated in terms of the importance of the mother or the mother’s desire to abort the foetus. (refer Chapter 3)



#### 4.5 Care of the Pregnant Lady

In the Hindu approach to the development of the foetus, the care of the pregnant lady is also emphasized. It is true that the mother shoulders the responsibility to a very large extent, allowing the foetus to develop normally. In recognition of this there are very specific rules for the mother to follow. She is supposed to “cherish a clear joyful spirit in a clean body”. (Bhishagratna, 1991 p216) She should be very spiritually inclined during the pregnancy. Her diet should consist of clean, wholesome food that is sweet, palatable, well cooked and should include ample liquids. She should have an abundance of Ojo-producing (albuminous) properties. Long walks, visits to cremation grounds, sitting under the shadow of a tree or going to solitary and remote places are strongly discouraged. Being in isolated areas and out of contact with help when needed is probably the reason why pregnant women are advised to observe these rules. The visits to cremation grounds or sitting under the shadow of a tree probably affects the functioning of the cosmic elements and could in turn affect the foetus. Furthermore, the mere visit to a cremation ground, being a stressful situation could lead to severe mental anguish for the mother and could lead to a spontaneous abortion. Anger, fright and other agitating emotions are to be avoided and the mother should refrain from carrying heavy loads and performing acts that may be injurious to the foetus.

Carrying of inordinately heavy loads, hurt (to womb or uterus) and excessively hot, or irritating food or drink are the factors which tend to bring about an abortion of pregnancy which is ushered in by symptoms as show of blood and an aching pain in the uterus. The foetus continues in a liquid state (undifferentiated limbs) up to the fourth month of gestation while it is aborted in a solidified (literally with developed limbs) state in the fifth or sixth month of gestation. (Shastri, 1968 p544)

The pregnant lady is given special treatment. She is to be “looked at affectionately, attended to by her husband and attendants who give her wholesome foods she wants, especially butter, ghee (clarified butter) and milk.” (Tirtha, 1998 p510) Furthermore according to the Yajnavalkya Smriti, a woman should be given the gift of a cow when she is about to deliver (see Chapter 3) - indicating the gratitude that men and indeed society have for the one who gives birth to a child. Manu also alludes to the special status of the pregnant lady when he rules that “a woman more than two weeks

advanced in pregnancy ... should not be made to pay a toll at a ferry.” (Hopkins, 1971 p242)

The health of the pregnant woman is also very important and very carefully monitored. She is to partake of food that is sweet and cool and should have lots of liquids in the first three months. In the third month of gestation she should be given Shashtika rice with milk. In the fourth month, curd should be a large part of her diet. In the fifth month she should have milk and in the sixth month she should have clarified butter with the Shashtika rice. In the latter months of pregnancy she should have liquid food (Yavagu) made up of emollient substances (fats) and soup. (Bhishagratna, 1991 V2 p218). The complete well-being of the mother was ensured by the husband, the extended family members and the community.

This special care for the pregnant lady emphasizes the importance of the foetus for the parents of the unborn, the family and the society in which they live. Furthermore, by attaching special importance to the pregnant lady, the importance of the foetus is emphasized. The foetus does not have spiritual significance alone but also social and cosmic significance.

#### 4.6 The Status of the Foetus in the Hindu Tradition

The foetus is made up of the jivatma (the life force), the physical body (stula sarira) and the subtle body (sukshma sarira). These features are no different in the adult. The jivatma is the same and the sukshma sarira (subtle body) is the same as in the adult. The only difference is that the physical body is less developed in the foetus. This lack of difference between the foetus and the adult in these essential constituents influences the Hindu view of the foetus significantly.

The jivatma and its transmigration from its previous body to the foetus demands careful consideration if one is to understand the striking similarity between the foetus and the adult. A suitable point of departure in this discussion is to consider death from a Hindu perspective.

Death for the Hindu does not mean absolute annihilation, but rather a change in form. “We are dying every minute.” (Abhedananda, 1978a p163). All living beings are in a state of continuous change. At death, which is just another of an infinite series of changes, the physical body becomes separated from the jivatma and sukshma sarira. For the Hindu tradition, death does not mean non-existence. Even if one tries to think of oneself as dead, one cannot. One may think of one’s body

lying dead, but one has to make this conscious observation. The very idea that one thinks of oneself as dead presupposes that one is conscious of the idea and, therefore, one cannot be this.

At the time of death the soul contracts and withdraws all its powers from the sense organs to its innermost centre, and in that contracted state it leaves the body. The vital forces, sense powers, psychic powers, and ethereal particles of matter aggregate in this innermost centre and they remain latent until environmental conditions are favourable for their remanifestation. Rebirth means the manifestation of the latent powers which exist in the individual soul. (Abhedananda, 1957 p109)

After death the journey of the soul together with the sukshma sarira is described “in a metaphorical language, which is generally difficult to understand”. (Abhedananda, 1978b p67) There are two paths: the path of the departed fathers (pitriyana) and the path of the devayana (the path which leads to God). When people, who are charitable, do good to others and perform virtuous deeds die, they go through smoke, then to night, then to dark fifteen days, from there to the six months when the sun moves south, from there to the world of the fathers, from the world of the fathers to the moon. (Abhedananda, 1978b p67). Depending on their deeds, they spend time with their ancestors and then return to earth again. They first take ethereal invisible bodies, like minute germs of life. They pass through ether into air, then into clouds and fall with rain drops onto earth. They enter certain kinds of food and pass into the human body of the male and are then passed into the female to be born again. Due to this being an evolutionary process culminating in becoming one with the Supreme Lord, these souls choose bodies in which they will find suitable environments and conditions in which to fulfill this aim. During the process of return, their mental feelings and intelligence become contracted and they therefore do not remember the journey.

“In the case of those who worship God with a pure heart and sincere devotion, they go first to light, then to day, then to the waxing half of the moon, to six months when the sun goes north, then to the place of bright spirits or devas, then to the sun, then to the region of lightning, there a spirit of a high order comes and takes them to the world of Brahma”. (Abhedananda, 1978b p69).

Before conception, the soul identifies a new body in which to continue its journey. The “parents are nothing but the principal channels through which these germs of life, or the subtle bodies find proper conditions of manufacturing human being by obeying the laws of nature. Parents do not

create the soul. In fact parents cannot give birth to a child according to their will. It would be an absolute impossibility. Unless the soul comes to them and nourishes the germ, it would be an absolute impossibility.” (Abhedananda,1978b p100) The soul is on a relentless journey towards being merged in the Supreme. Life and death are only phases in this journey. Furthermore, parents are only the means to a much greater end for the soul. Parents have no knowledge of where in this evolutionary journey the soul is and therefore have no right to interrupt this spiritual journey of evolution for the soul.

These descriptions have important implications in considering the status of the foetus. Essentially, there is no difference between the foetus and the adult. The soul and sukshma sarira that left the previous body at the time of death is the same soul and sukshma sarira that enters into the foetus at conception. This process has been adequately described in the Hindu tradition. The soul and the sukshma sarira most probably transmigrated from an adult; it is an “adult” soul and sukshma sarira. The question of personhood therefore is not contentious for the Hindu. The foetus is a person: it has a soul and a sukshma sarira (subtle body with all its past experiences) and the human psyche that enters at conception as described earlier.

Furthermore, the soul is in a constant state of evolution that terminates on the soul becoming one with the Supreme Lord. The soul chooses the body that is suitable to continue its journey. This is a deliberate choice and the soul does not come to be in a particular body purely by chance. The doctrine of reincarnation is based upon the theory of evolution and depends upon the law of Karma (action and reaction). These germs of life come into existence to fulfil certain powers and desires and to gain certain experience - ever-evolving towards higher levels of existence. This point of view is aptly explained by Abhedananda:

According to the Vedanta, immortality includes the meaning of progress, i.e. progress of growth and evolution of the soul from lower to the higher stages of development. It also includes the idea that each individual soul will manifest the powers which are already latent in the soul by going through different stages of growth and development until perfection and omniscience and omnipresence are acquired. In order to attain to this and to accomplish this highest end, the soul must manifest itself in various stages of life and gain experience. That

cause which brought us on the plane of existence, will continue to bring us here again in future. If the same cause remains in us even after the death of the body, then nothing can prevent us from coming back to this place of existence in order to fulfil our desires and purposes. (Abhedananda, 1978b p155)

In the case of the foetus, the soul and sukshma sarira having identified a body to continue its journey has just barely been united with it. At this critical stage, an interruption of the process, as abortion is, will be very difficult to justify. Furthermore, this is a process to gain perfection and the highest goal of existence, moksha or liberation; a process with which no person has the right to interfere.

The foetus is revered and is to be protected according to the Hindu tradition. In the Mahabharata, Duryodhana says that when he heard that Asvathanam had furiously unleashed his ultimate weapon with which he killed an unborn child, he lost all hope of victory (in the battle of Kurukshetra) (Van Buitenen, 1973 p28) This clearly indicates that it was considered cruel and unacceptable to harm the unborn; the great battle of Kurukshetra may have been lost because of this act by Asvathanam. The Mahabharata also tells of Cyavara who was abducted by a demon. Due to her ordeal, she aborted. The demon on seeing “the child aborted from his mother’s belly and shining like the sun, he turned into ashes; fell and let the woman go.” (Van Buitenen, 1973 p57) The Mahabharata not only admonishes against the interference with a pregnant woman but also emphasizes the power in the foetus. The pregnant woman should be respected<sup>10</sup> and given prominence over non-pregnant women<sup>11</sup> and afforded certain leniencies in the law.<sup>12</sup> This is further emphasized in the Yajnavalkya Smriti which allows for the gift of a cow to a lady when she is about to deliver. (Kane, 1968 p27)

The importance of the foetus is further emphasized by the exalted state offered to the pregnant lady. A pregnant lady is to be cared for carefully because she is the carrier of the important foetus. She is not to carry or lift inordinately heavy loads. She is also not supposed to do anything that will

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<sup>10</sup>Manu states that pregnant women should not pay a toll. (Hopkins, 1971 p242)

<sup>11</sup>Pregnant women are offered food before non-pregnant women. (Kane, 1968 p57)

<sup>12</sup>Pregnant women were not fined for dirtying the king’s high road. (Buhler, 1886 p392)

hurt the foetus and she is not to partake of irritating food or drinks as this can cause harm to the foetus. (Shastri, 1968 p544) The importance of the foetus is thus clearly seen.

There are many instances where God is seen as the protector of the foetus. The Shrimad Bhagavatam also emphasizes this in the story of Uttara. "Krishna entered the womb of Uttara (the wife of Abhimanyu) with the power of his maya. He was there when an astva entered her to destroy the unborn child. With his divine form he fought the astva and finally destroyed it." (Subramaniam, 1981 p15) The child while in the mother's womb saw a glowing form emanating from the astva. He also beheld the form of Krishna who protected him from the astva. The child used to look at the form of Krishna and ask himself: "who is this person dressed in yellow silk, wearing the lovely garlands, with the gada in his hand, who is protecting me all the time?" (Subramaniam, 1981 pp15-16) The foetus had to be protected and here, God Himself intervenes to protect the foetus due to the pleas of Uttara: "O all pervading Lord. An arrow with a red hot iron tip rushes to me. O Lord, let it burn me at will but let not the embryo (in my womb) be fallen. Thereupon, Hari, the Lord of Yoga who is the soul residing within all beings, covered the embryo (in the womb) of the princess of Virata (Uttara) by (his power called) Maya (illusion)." (Shastri, 1985 p66).

It is also noted from the above instance that the mother was prepared to lose her own life for the sake of the foetus indicating again the importance of the foetus. Furthermore, the foetus is considered as an observant, thinking, questioning and spiritually advanced being. The foetus is certainly not considered devoid of personhood. It is not just an aggregate of cells devoid of any intelligence. This is further borne out in the Brahma Purana when it is said that the foetus in the womb of Diti uttered thus: "O thunderbolt one, why don't you protect me, your brother. You are desirous of killing me. There is no greater sin than killing (someone) outside battle. (Killing) except in battle (is never just), O lord of larger arms." (Shastri, 1985 p991). The foetus was already conversant with the rules of battle and with scriptural injunctions with regard to killing.

In the Linga Purana, it is said that Vashishta heard his grandson in the womb of his daughter-in-law Adrisyanti recite a sacred verse. This child was a devotee of Rudra and was engaged in the worship of Rudra at the time. (Shastri, 1973 p250) This underlies the thinking that the foetus was already a highly spiritually evolved being.

In terms of its development, the Minor Law Books state that the “child is comparable to an embryo up to his eighth year”. (Jolly, 1969 p51) At the age of eight, the Upanayana ceremony is held and the child is initiated into studenthood. The lack of difference between the embryo and the child is striking and therefore what applies to the child should be applicable to the embryo also.

From the above discussion it can be concluded that the foetus is considered to be a person; it can think, reason, observe, infer, remember, question - it is not just a mass of tissues biologically replicating in its quest for later personhood - it is a person. The foetus is a complete spiritual being worthy of reverence and protection. The foetus, within the Hindu tradition can never be reduced to a mere mass of tissue devoid of personhood. Furthermore, the foetus is seen as another important step in the spiritual evolution of the soul in its quest for self-realization.

#### 4.7 Concluding Remarks

In the above chapter, it is clearly seen that the Hindus have a very sophisticated understanding of conception and the development of the foetus. The foetus is revered as a spiritual being. Furthermore, for the Hindus, the foetus is a living being at conception as the soul enters at conception. The foetus is seen as a person and therefore has to be accorded the rights of personhood.

## CHAPTER FIVE: THE HINDU PERSPECTIVE ON ABORTION

### 5.1 Introductory Remarks

The Hindu perspective on abortion will be treated by considering, at the outset, the general teachings of the Hindu tradition and their implications for abortion. Thereafter specific issues within this broader framework or basis will be explored to arrive at a more meaningful and comprehensive understanding and appreciation of the Hindu perspective on abortion.

### 5.2 The Teachings of Hinduism and Abortion

#### 5.2.1 The Concept of Dharma as it Relates to the Issue of Abortion

The concept of dharma as a “Divine Law” and its various implications form a suitable point of departure for both the philosophical and practical evaluation of the Hindu perspective on abortion and other ethical considerations in human reproduction. Dharma is a multifaceted concept and some of these facets will be considered with specific reference to the issue of abortion.

Dharma, in the first place, is a Divine Law or moral order given with man and woven into the ethical fabric that unites and maintains the entire universe as one whole. Furthermore, dharma is there to protect the unity of the universe as emphasized by Swami Sivananda: dharma should be to unite, to develop pure divine love and universal brotherhood whereas adharma (the opposite of dharma) is to create discord, disharmony and hatred. (See Chapter 3). As dharma encourages unity, the unity of mother with foetus or father with foetus or foetus with the universe will all be emphasized. Dharma recognizes the essential unity of the whole universe and this would certainly include the unity of the family that includes the foetus. Abortion, in this context, can be interpreted as the severing or disruption of this essential unity. It represents a transgression of this Divine Law and undermines the “moral order” that is fundamental to human existence. *Abortion can thus be considered rightly as adharma as it disrupts this essential unity and contravenes this Divine Law.*



Secondly, dharma is considered to be “given with man” implying that man is different from plants and animals and that man is not only subject to this Divine Law but is also expected to uphold this Law. Furthermore, dharma is considered within the Hindu tradition to constitute the essential difference of man, “whereby he is distinguished from brutes”. (refer Chapter 3) Accepting that dharma is unique to man and is supposed to distinguish man from “brute” and recognising that abortion is an action steeped in brutality (it is the destruction of a foetus by brutal means), abortion can be seen as adharmic on this score too. By implication, therefore abortion detracts diametrically from the essential nature of man wherein he is supposed to be compassionate rather than brutal. Brutality can only create discord, disharmony and hatred which are all characteristics of adharma. Discord, disharmony and hatred militate against dharma or the moral order and result in the disintegration of our social order and undermine our personal good, leading to the general decay of human society. It is therefore reasonable to infer that since abortion is adharmic, it can also lead to the disintegration of human society.

Thirdly, dharma partially equates to virtue and righteousness. Virtue and righteousness are considered in a broader context of the unity of the universe; what causes unity and harmony is dharma; what causes disunity and discord is adharma. In this context, abortion that causes a separation of the foetus from the mother, the father and society must be considered as opposed to virtue and righteousness; abortion is a vice and consequently, unrighteous; it is adharma. More importantly, abortion causes a separation of the soul from the foetal body and thus interrupts the spiritual journey of the individual soul.

Dharma, fourthly, has a profoundly social emphasis and demands that we broaden our perspectives to incorporate the good and welfare of society as a whole. Dharma has an individual (vanashramadharma) and a social perspective (sadharanadharma). Sadharanadharma takes precedence over vanashramadharma. Man has a duty to consider his actions in a broader social context. When considering this facet of dharma, it is clear that it has profound implications for the Hindu debate on abortion. Many abortions are motivated by selfish interests; the implications of the continued pregnancy for the individual. From personal experience, common reasons observed in a general practice for abortion include unplanned pregnancy, teenage pregnancy, pregnancy out of wedlock, failure to take contraception and the unwanted child. It is seldom seen that the request for abortions is in the interest of the unborn child; the interests of the parent (mainly the mother)

seem to take precedence. The motivation for abortion is often the narrow, selfish interests of the parents. This goes against sadharanadharma.

Within the social context, sadharanadharma teaches that one should strive to greater spiritual heights, not on the shoulders of others, but by taking others by their hands also as all strive for greater spiritual heights. Dharma is the enhancing while adharma is the hampering of spiritual growth. Abortion hampers the spiritual growth not only of the foetus but also of all those guilty in the performance of an abortion and as such is adharma.

### 5.2.2 The Purushartas and Abortion

The Purushartas as explained in the previous chapter are the four goals of a Hindu's life: kama (pleasure), artha (wealth), dharma (righteousness) and moksha (liberation). In attaining these ordained pursuits, there are injunctions that are enshrined in the Hindu tradition. These injunctions have important bearings on conjugal pleasure and reproduction.

With regard to kama, Hinduism is clear that conjugal union is for procreation and not only for pleasure. Man and woman should unite for the procreation of children. ... "the sense object located in woman is more pleasure-giving because there is a special pleasure in women and the progeny too is dependent on woman." (Sharma, 1981 p35, Vol 2). The assertion being made here is that the real pleasure is not the conjugal act but the progeny that arises out of the act. In clarifying this further, one can consider what Charaka says about aphrodisiacs: "a conscious person should use aphrodisiacs regularly because virtue, wealth, pleasure and fame depend on it. It also gives rise to male offspring which is the resort of all these qualities." (Sharma, 1981 p35, Vol 2). He further qualifies this by saying that "one desirous of progeny and the qualities depending thereon as well as the sexual pleasure should use aphrodisiacs regularly". (Sharma, 1981 pp36-37). It is therefore clear that aphrodisiacs are to assist in the procurement of progeny who are the source of real pleasure. Kama (pleasure) ought to be derived from progeny and not just from the sexual act which is only a means to a much greater end - progeny. Furthermore, it is noteworthy that pleasure is never made mention of by itself, it is related to a higher purpose.

It is also interesting that while Hinduism emphasizes that sex is not just for pleasure (kama), it

stresses that husbands should visit their wives for the purposes of procreation - again emphasising the prime reason for the sexual act. The Matsya Puranam states that: "one who does not satisfy the desire of a damsel on the termination of her menstruation, commits the sin of slaying of a Brahmana"<sup>13</sup> (See Chapter 3) It is clear that after the termination of menstruation, the reproductive cycle of the lady is such that she will be able to conceive and that the husband should have sex with her to procure progeny. The word "desire" here should not be misconstrued to mean that sex should be for enjoyment - if it were so, the emphasis on having sex after the termination of menstruation would have been omitted. The desire is to be interpreted as her desire for progeny and the spiritual advancement that accrues from that. Furthermore, the missing of these opportunities to procure progeny is equated to a very heinous act; the slaying of a Brahmana, again emphasizing the importance of procreating and progeny.

The Hindu view of an oblation and the likening of the sexual act to an oblation is important in understanding the Hindu view of the sexual act. An oblation is seen as an offering to God. It is a deeply spiritual act; it is that act that allows the ordinary mortal to make an offering to the Supreme Lord in a way that the Supreme Lord will accept the offering. An oblation is a central part of the Hindu tradition and is a cornerstone of the rituals performed by Hindus from ancient Vedic times. The sexual act when likened to an oblation expresses the reverence that the Hindu tradition has for this act. It is seen as a ritual that is highly significant spiritually. In the Brahmanas, the patnisamyaga ritual is mentioned that also highlights the spiritual function of the sexual act that is considered a sacrifice. "From the sacrifice offspring is assuredly produced; and (that offspring) produced from the sacrifice is produced from union and is produced after (in consequence of) the completion of the sacrifice: hence one thereby (i.e. from the patnisamyagas) causes that (offspring) to be produced by means of a productive union after the completion of the sacrifice." (Sharma, 1981 p257) The sexual act, has progeny as its fruit; a gift from God who has accepted the offering in the oblation.

Noting that the sexual act is an oblation, it follows that the sexual act should allow for spiritual evolution if it is performed with due reverence. The Garud Purana confirms this view: "Those, who live for practising virtues, visit their wives for procreating of children and cast offerings to the

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<sup>13</sup>The slaying of a Brahmana was always considered to be one of the worst sins one could perform.

deities for bringing about their satisfaction, tide over the evils of life.” (Shastri,1968 p728) The procreating of children is considered as a virtue that enables spiritual advancement. By contrast, when the sexual act is merely for the sake of pleasure, there is no virtue in such action.

The sexual act is considered as a deeply spiritual act as alluded to by the fact that “it presupposes a well established home, a regular marriage, a desire of possessing children and a religious idea that beneficent gods help men in begetting children.” (Pandey, 1969 p48) This deeply reverential view of the sexual act is in stark contrast to more modern attitudes toward the sexual act wherein it is seen purely for its pleasure and even more disconcertingly, it is associated with vulgarity. The sexual act in more modern times is associated with violence in the form of rape and is even referred to in vulgar terms - a complete absence of the original respect and reverence for the sexual act as detailed in the Hindu scriptures. It is, without a doubt, extremely important to challenge these views with a firm commitment to change them. Recovering a sense of reverence for the sexual act can engender a renewed sense of responsibility in sexual relationships with the consequent benefits of greater spiritual evolution through the sexual act. In the present times, this call is urgent and indispensable as the world tethers on the brink of the AIDS pandemic catastrophe.

The implications of the Hindu view of the sexual act has important implications for abortion. The reason for the sexual act is procreation. Therefore, there is no question of abortion; there cannot be an unwanted child except in the case where the lady has had no choice in falling pregnant, for example in the case of rape. It is absurd that a couple can choose to have sex and then not want the resultant child when the reason for the sexual act is procreation. Sex is pleasurable in the act but greater pleasure is believed to be achieved from procreation. While it may be argued that society has come to view sex as a means of pleasure (kama), and it probably is extremely difficult to change sexual behaviour because of this enduring misconception, it is nonetheless very important to emphasize the spiritual nature of the sexual act and to at least start to change this perception. At the very least, people should be aware of the tremendous responsibility that goes with the sexual act so that it is not merely seen as a means of frivolous pleasure.

Many pregnancies arise out of relationships outside of marriage. Many abortions are requested because of this. From a Hindu perspective conjugal union should be confined to marriage and therefore, the need for abortion in unmarried couples should not arise. Furthermore, conjugal

union as prescribed in the Hindu Samskaras is for mature couples and if this is observed strictly, teenage pregnancies (the vast majority of which occur outside wedlock) will be prevented. In view of the fact that pregnancies outside wedlock and teenage pregnancies are a worrying reality, there is merit in a well coordinated and executed plan aimed at educating our communities about these teachings in a concerted effort to decrease the demands for abortion and to reestablish conjugal union for progeny rather than for pleasure's sake.

It is also interesting, in the Hindu tradition, that progeny and artha (wealth) seem to be connected. In many rituals the prayers for progeny and for wealth are coupled (see Chapter 3). This is important in the whole debate on abortion. It seems that this strong coupling of progeny and wealth implies that wealth is necessary for the sustenance of the progeny and that the progeny in turn are seen as wealth. Furthermore, the Hindu tradition is clear that the provider of both wealth and progeny is God. The motivation for an abortion could be a lack of economic resources and in fact the Choice of Termination of Pregnancy Act of South Africa recognises as a ground for termination of pregnancy the fact that the continued pregnancy will significantly affect a woman's social or economic circumstances. Economic grounds or unemployment are seen as legitimate grounds for an abortion or termination of pregnancy. (Slabbert, 2001 p738) Should the motivation for abortion be a lack of artha (wealth) to sustain the child, a Hindu response could be that one should attain artha (wealth) that is necessary for the sustenance of the child before conceiving; as implied by the fact that a couple should only marry once the husband is capable of providing for the family. Parents who follow these teachings will probably not face the prospect of an abortion because they are unable to support the child. The Hindu view that one should act responsibly not only during the sexual act but also towards one's progeny, is a view that should be emphasized, practised and promoted.

Furthermore, it is interesting that the Hindu view is that God is the provider of everything. Sustenance is provided for all, including the foetus and the child, by God. One sees therefore that the Hindu view is finely balanced between the need for the parents to be responsible in planning their marriages and therefore their pregnancies and the fact that God is the provider - not the parents alone.

### 5.2.3 The Hindu View of Marriage and Abortion

Hindus in the course of their lives go through various stages or ashramas starting from Bramacharya and concluding with Sannyasa in preparation for moksha. In the Ashrama Dharma system, marriage is one of the Ashramas, the Grihastha Ashrama. In this ashrama, man and lady living as husband wife set up a household and continue their spiritual journey towards moksha which is the final ashrama. The Grihastha Ashrama is considered the most important ashrama as it is seen as supporting all the other ashramas. The Brahmacharins and the Sanyassins depend on the Grihastins, at the very least, for support in terms of their basic physical requirements like food. Furthermore, if it were not for this ashrama, there would be no Brahmacharins or Sanyassins; this ashrama assures the propagation of human society as it is this ashrama that allows for begetting progeny. One of the purposes of this ashrama is to beget children, provide for them and augment their spiritual journey towards moksha. In this ashrama, the family unit which is the support of societies is established. Furthermore, the propagation of family lines is also established in this ashrama. The continuance of the family line is an important duty for the Hindu as present generations have an important duty to perform the prescribed rites for their ancestors and for their parents at death. Pandey encapsulates this when he says that marriage was for progeny which was the all important reason for it: indeed the generation of offspring was the supreme motive of every union to the end that a man's home or family may not die out (see Chapter 3).

This ashrama also has tremendous spiritual significance for the householder. "Marriage and procreation of children may according to Manu lead to one's union with Brahman." (Banerjee, 1979 p47) Marriage is for procreation and procreation is for spiritual progress or moksha. The Brihadaranyaka Upanishad, Linga Purana, Mahabarata, Samskaras, Markandeya Purana, Brahma Purana, Bhagavata Purana, Matsya Purana, Manu Smriti, (refer Chapter 3) all reaffirm the spiritual benefit that is gained from having progeny and thus the importance of marriage. It is from marriage that one can gain moksha through having children. Children are the means by which the various rituals at death and after death are performed for the departed parents and the performance of these rituals, as has been elucidated in chapter three, leads to salvation.

The begetting of progeny is so central to a Hindu marriage that various kinds of sons<sup>14</sup> have been allowed. These are, the son begotten by one's own self upon the wedded wife, the son begotten upon one's wife by an accomplished person from motives of kindness, the son begotten upon one's wife by a person for pecuniary consideration, the son begotten upon the wife after the death of her husband, the maiden-born son, the son born of an unchaste wife, the son given, the son bought for a consideration, the son self-given, the son received with a pregnant bride, the brother's son and the son begotten upon a wife of a lower caste. (Van Buitenen, 1973 p251) The Agni Puranam also enumerates these different classes of sons. (Shastri, 1967 p85)

Banerjee makes the assertion that a son whom a Brahman begets through lust with a sudra woman is called a Parasava (a living corpse). (Banerjee, 1979 p93) The implication that the son may not be able to provide spiritual benefit can be implied by the fact that this type of son is a living corpse. However, it appears that the more accepted Hindu view is that any son can provide spiritual benefit as can be seen from the Agni Puranam. Furthermore, it is inferred that provided a son is willing to perform the rituals for his departed parents, irrespective of the nature of his conception, he is able to assist in the spiritual journey of his parents. This seems logical as the child cannot choose the circumstances under which he may be conceived.

While it appears unthinkable that some of the sons listed above could be considered as sons, it was even more unthinkable that they could be excluded and were therefore included in the category of son. All these were considered sons although their circumstances varied so widely. None of these were denied the status of son because progeny was so important. All these sons were able to provide the spiritual benefit from having progeny. This underlines the importance that Hindus place on the begetting of progeny.

The having of sons was considered a great spiritual achievement<sup>15</sup> even beyond the merits of law

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<sup>14</sup>The Scriptures cited repeatedly show a preference for male progeny which in turn allows the manifestation of many other problems, for example the coercion of women to abort female foetuses. This view needs to be challenged as the Hindu scriptures also allude to the fact the females can perform the necessary rituals for the departed parents.

<sup>15</sup>Sarkar (1940) explains that "If the father sees the face of the living son on birth, he transfers the debt to the son, and attains immortality." (p147) The debt being referred is the offering of libations of water and the obsequial rites that can now be performed by the son for their ancestors.

of severe austerities. (Van Buitenen, 1973 p69) Within the Hindu tradition, however, while many types of sons were recognized, the ordained way of having children was within a marriage. The Hindu marriage is the institution in which to have children and that is the spiritually correct way. This is the ideal as seen from a Hindu perspective. The Prasna Upanishad emphasizes that sexual union outside marriage is a “falsehood” and a violation of the vows of continence (refer Chapter 3).

In a Hindu marriage, it is almost obligatory to procreate. Choosing not to have children appears to be sinful. The Matsya Purana equates the abstaining from sexual union after the menstruation with the slaying of a Brahmana. The Mahabarata also asserts likewise when it instructs that a husband should not isolate a chaste wife and that a wife should not refuse to have sexual intercourse for the sake of progeny if asked to by her husband. The Mahabarata likens both these cases to the “slaying of the embryo” (abortion) (see Chapter 3) - indicating a firm disapproval for the act by likening it to abortion - an act which may be considered equally sinful. One of the most important purposes of a Hindu marriage is lost when a couple choose not to have children. The supreme and spiritual purpose of a marriage was and is to procreate. Abortion is therefore not allowed as it disrupts not only the spiritual journey of the parents but that of the foetus as well. The spiritual benefit of having children is lost if the children are aborted.

For the Hindu, as asserted by Radhakrishnan “*marriage is regarded as sacred*”<sup>16</sup>. The very Gods are married”. (see Chapter 3) It is sacred as it is in this ashrama that children are born and nurtured to continue their spiritual journeys. It is also that ashrama in which sex is allowed.

There is nothing unwholesome or guilty about the sex life (in this ashrama). Through the institution of marriage it is made the basis of intellectual and moral intimacies. Marriage is not so much a concession to human weakness as a means of spiritual growth. It is prescribed for the sake of the development of personality as well as the continuance of the family ideal. Marriage has this social side. Every family is a partnership between the living and the dead. The

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<sup>16</sup>Italics inserted



Shradda ceremony is intended to impress the idea of the family solidarity on the members. At the end of the ceremony the performer asks: "Let me , O fathers! have a hero for a son." ( Radhakrishnan, 1927 p84)

With this in mind it is not reasonable to support abortion even within the context of a marriage; marriage allows for the birth of children for spiritual realization and marriage allows for the links in the long chain of samsara (repeated births and deaths). Subjected to samsara, the goal in each one of these many lives is to liberate oneself from the cycle of birth and death by attaining moksha. Marriage allows for the soul to manifest in a new body and continue the journey of self realisation. Marriage also allows both the child and the parents the opportunity of self realisation through the process of birth and procreation. Parenthood is also a route to moksha. In begetting children and schooling them into a dharmic life spiritual evolution for both the parents and the children is secured. When parents are able to impart spiritual values to their children, more spiritually elevated families and in turn more spiritually evolved communities are born and ultimately a more spiritually evolved world is realized. In this way man contributes to the universe and the cosmos. Procreation opens the window to such possibilities. Abortion appears to negate all this. Abortion leads to death and with death this whole process is affected and eventually, it is reasonable to infer that the whole world can be affected as abortion affects families and in turn communities and ultimately the world. Families, comprising members that have to be born (and prevented from being aborted), are the basis of the Hindu social order. Abortion has the potential to disrupt this social order. The destruction of families should be prevented as with the destruction of families communities suffer; dharma is replaced with adharma as explained by Krishna in Bhagavad Gita, discourse 1, verse 40: "On the extinction of a family, the immemorial dharmas of that family disappear. When the dharmas disappear, impiety (adharma) overtakes the whole family." (Sastry, 1977 p16)

#### 5.2.4 The Concept of Atman, Paramatman and Abortion

If one works from the Hindu premise that the individual soul (atman or jivatman) is related to the Supreme Soul (Paramatman) the implications for abortion become very significant. It is also important to emphasize that due to self-ignorance the Self is limited to the empiric self. The

essential self or Atman is distinct from the physical self; although closely and inextricably connected to it.

A careful study of the human being and the allied facts point to the truth that man is not just a physical, or a biophysical, or a psychophysical being. The real man is the knowing self, the central principle of consciousness, which is the unchanging witness of the changing condition of the body, the organs, the mind and the external world. The indwelling self is the only constant factor in human personality that integrates all the physical and psychical factors into a coherent whole, and coordinates the diverse functions of the mind, the organs and the body. It maintains the identity of man despite all changes, external and internal. Man is essentially the immortal spirit ever shining and is mainly responsible for the livingness of the psychophysical organism. "He is the life of life" says the Upanishad with regard to the real man. (Satprakashananda, 1977 p198)

The Atman in turn is linked inextricably to the Paramatman; it is a part of the Paramatman. Abortion affects the physical body, the psyche, the atman: in fact the very being of the foetus.

The atman due to ignorance is on a journey to discover its relatedness with the Paramatman. This journey is made up of the many cycles of birth and death; this life being one of them. This process of self-realization is aptly explained in the Brihadaranyaka Upanishad:

As a lump of salt thrown in water dissolves and cannot be taken out again, though wherever we taste the water it is salty, even so, the separate self dissolves in the sea of pure consciousness, infinite and immortal. Separateness arises from identifying the Self with the body, which is made up of the elements; when the physical identification dissolves, there can be no more separate self. (Easwaran, 1996 p38)

The realisation of this oneness is not possible without birth; moksha is not possible without birth. Ignorance cannot be dispelled without birth. When one prevents birth, one interferes with this process; one interferes with the progress of the atman in the discovery of its unity with the

Paramatman. The atman, as has been discussed, is related to the Paramatman and it may be argued that interfering with the atman is interfering with the Paramatman. Abortion can therefore be seen as meddling with the way of the Divine. Furthermore, many of the Hindu texts extol the value of human birth as being the birth most suitable for the realization of one's unity with the Paramatman.

The presence of the Paramatman in the foetus is cardinal and any transgression against the foetus is a transgression against the Paramatman. A transgression against God is specifically decried in the Hindu tradition, as Krishna says in Bhagavad Gita:

Given over to egoism, power, insolence, lust and wrath, these malicious people hate Me in their own bodies and those of others. XVI 18 (Sastry, 1977 p423)

Violence against the foetus (and in fact, any violence) is seen as an expression of hate for God and a rejection of the gift of life.

Furthermore, with regard to termination of pregnancy requests, many requests are motivated by egoism on the part of the mother. The assumption of total control with regard to the foetus on the part of the mother is an expression of power. Lust is also the cause of many abortions while insolence and wrath in the act of abortion are quite apparent. Interestingly, all these vices as enumerated by Krishna can all be identified in the circumstances surrounding an abortion. When these vices are present, the maliciousness of man is exposed and hate for Krishna is the result. It may therefore be inferred that abortion is an expression of hate for God. Furthermore, when a foetus is caused to be aborted, it is born out of and perpetuates avidya (ignorance). Abortion is not simply affecting the physical body or the atman of the foetus; it is an expression of hate towards God.

Another very important consideration is the fact that the atman is equal in every living being. The atman is not subject to age; the atman in an old man is the same as the atman in a child. The atman in a child is the same as the atman in the foetus. The Hindu tradition does not say that the atman in a foetus is different from that in a child or an adult. This equal existence of God in all is the basis of human dignity and value. It is therefore clear that the foetus should be treated with the same respect and accorded the same dignity and spiritual significance as a child or adult. At the

level of the atman, all beings are equal despite their physical differences. For the Hindu tradition therefore, just as the murder of children is not acceptable, the killing of the foetus is equally unacceptable. Although the foetus may not be as developed as a child physically, the atman is the same and therefore, physical size cannot be used as a criterion when deciding who should live and who should die.

#### 5.2.5 Advaita and Abortion

The central premise in Advaita is non-dualism; the atman is non-different from the Paramatman and atman and Paramatman form one continuous and complete whole. The atman, like the Paramatman is omnipresent, omniscient and omnipotent. However, due to maya (ignorance) the atman is prevented from realizing this great truth. This philosophical school of thought can be applied to the issue of abortion. The atman (jivatman) identifies with the body (jiva) and limits itself to the body and is screened from understanding its true reality. The atman seems to be limited to the confines of the physical body and identifies with it. However, the true nature of the atman is in its realization of its essential oneness with the Paramatman. In asserting the essential similarity and unity of the atman and Paramatman, it is clear that any transgression against the atman is a transgression against the Paramatman.

Within the Dvaita (dualist) schools of Hindu philosophical thought, it may be argued that abortion causes harm just to the individual as the individual is different from God. This almost suggests that it is not as serious a transgression; but, as outlined above, it is a deeply serious transgression when one considers it from an Advaitic perspective. Nonetheless, abortion, in terms of the Dvaita and Advaita schools of thought, perpetuates ignorance and hampers the journey of the atman towards enlightenment. Furthermore, philosophers of all schools (including Ramanuja) agree that life is a gift from God and abortion is a rejection of this Divine gift.

#### 5.2.6 Karma and Abortion

Karma, as has been discussed, relates to action. The concept of Karma is closely related to Rta which is an eternal law or the orderly pattern seen in nature. Human action and Rta (or eternal law are) linked. This eternal law or Rta is cosmic in nature. Human beings perform actions in a cosmic

world. By performing action in this cosmic milieu, man does affect the cosmos and is affected by it. On a cosmic level, Rta is the eternal law; on a human level, actions are subject to the Law of Karma. It is the interplay between Rta and Karma that inextricably links man to his cosmos. This inter-relationship has profound consequences for the Hindu approach to the question of abortion. Man is governed by Rta and more specifically by the Law of Karma. It is given with man that he will procreate to ensure the survival of the species and the cosmos. Abortion interferes with Rta by interrupting procreation. The effect of interfering with Rta and the cosmos may have severe consequences. Abortion therefore goes beyond just the individual; it has implications for the cosmos. It is fair to postulate that interfering with the cosmos can have dire consequences. It can mean the end of human existence as we know it. An insight into this can be gathered by the numerous calamities attributed to global warming, which in effect is an example of interfering with the cosmos. Some may, no doubt, argue that overpopulation causes similar problems, but from a classical Hindu perspective, every child is a wanted child. While abortion may contribute to the alleviating of overpopulation, the great reverence for the foetus and the great value that Hinduism places on the foetus will still militate against using abortion for population control.

Furthermore, the cosmos is a part of the Creator. By affecting the cosmos we affect His Creation. Birth and death are natural processes governed by Natural Laws (Rta). Abortion is a contravention of these Natural Laws that are there to protect the cosmos. Abortion is therefore opposed to the dictum of the Creator. In fact the very word Creator is diametrically opposed to abortion which represents destruction. The essence of Creation is growth, expansion, innovation while abortion is constriction, contraction, destruction and termination.

The concept of Rta is related to the concept of Samsara which is the natural cycle of birth and death spiralling towards oneness with the Creator. All living entities are subject to this cycle of birth and death. This being a natural cycle, it is expected that it will be allowed to proceed naturally. An individual soul takes many births and deaths in its quest to realize its ultimate and true reality. These births and deaths do not happen by chance or in a haphazard manner. They are controlled by another Law, the Law of Karma. Furthermore, these births and deaths are purposeful events in the aspiration of the Soul for True Identity with the Supreme. They represent an ever evolving progression towards God. With this in mind, it is patently clear that abortion will not be allowed as it disrupts this progression. This progression is *the* reason for this birth. This birth is to journey

closer to God by living this life appropriately. Abortion robs the child of this opportunity and indeed goes against the grain of life.

Karma or action is also related to samsara. The cycle of birth and death can be shortened or lengthened depending on the actions we perform. Good actions shorten the cycle and the converse is true for evil actions. The actions we perform have effects; good action has good effects. Good actions also contribute to the universal good and the cosmos; evil actions have the opposite effect. Furthermore, these repeated births and deaths are evolutionary and different bodies represent different levels of spiritual evolution. In the case of the unborn child, abortion interrupts decisively the soul's pursuit of its ultimate goal which is to become one with the Supreme soul through samsara - or the cycle of births and deaths. Furthermore, it is said in the Bhagavad Gita that to be born a human is auspicious. A human birth is a highly evolved birth in the spiral of birth and death and it is in this human form that the soul can realize its ultimate reality. Abortion delays this process and necessitates another birth and all the pain and suffering associated with that.

In the first instance, abortion affects the karma of the person performing the abortion and all those responsible for it. If one accepts that abortion is a sinful act, then the fruit of such a heinous act can only be evil. In the case of the mother who consents to such an action, she is doing something adharmic as the act of abortion is contrary to one of the most important duties of a lady which is to protect the unborn and secure progeny. To neglect one's duty is an evil act and can only bear the fruit of evil. The evil act of abortion affects the karma of the mother and the performers of such an act. It is reasonable to infer that the negative effects of the abortion will primarily be borne by the mother as she, in the first instance, is expected to protect the unborn. Furthermore, she would be neglecting her duty which is to allow for the birth of progeny. It is also significant that she will be responsible for the killing of the unborn - a particularly heinous deed. This will have severe karmic effects for her and she may have to take several births to overcome them.

Evil actions also contribute to the universal evil and this has cosmic implications. Actions, good or evil have an effect similar to the tossing of a stone into a pond as it generates a sequence of ripples in the water. Actions have a similar effect starting from the performer of the action and spreading in ever widening but weaker ripples. If actions have the potential of affecting the cosmos, abortion certainly has similar potential. With this in mind, the whole question of the

*respect for the sanctity of human life* has to be considered. It is reasonable to surmise that as increasingly more people opt for abortions, respect for the sanctity of human life will diminish. This will lead to social and moral decay and will eventually affect not only this earthly plane but also the cosmos.

Every action has a threefold effect: it produces the appropriate fruit, it leaves an impression on the mind of the performer and in turn, it affects the character of the performer. Abortion being adharmic will result in the person suffering. Furthermore, imprinting this on the mind will tend to make it easier for the person to perform such actions again. The effect of an action on the character of the person having an abortion is a very important consideration. Within the context of Karma is the concept of Samskara - the indivisible disposition produced as a result of the actions one performs: good actions and evil actions lead to good and evil dispositions respectively. Abortion is an evil action and will contribute towards making the individual more disposed to doing evil in future. It is this changing of disposition that on a broader level leads to the moral decay of societies. If action changes character negatively, society is seriously impacted on negatively and human suffering can be the only result. The act of abortion also changes the character of the person who chooses to have one. The psychological effects of abortion are well known and there is no doubt that the characters of people having abortions are affected. The "guilt of terminating a pregnancy plagues women psychologically for the rest of their lives." (Braam, 2000 p42) This remains a very powerful argument against abortion. Present experience bears out the Hindu teachings with regard to action and particularly in the case of abortion.

Action can be categorised as those actions performed with attachment to the fruit of such action and those performed without attachment. Action performed without attachment to the fruit has no negative karmic consequences and therefore the ideal in performing action is to do so without being attached to the fruit of such action. Motivated action or *kamya karma* (action performed with attachment to the fruit of such action) - is not the ideal as it has "only market or commercial value and makes man the slave of passion and of the propulsion of the senses". (Srinivasachari, 1943 p74) Abortion falls into the category of *kamya karma* as in it we see a deep sense of attachment to the fruit of action. The motivations for abortions are in the vast majority, as detailed above, not selfless ones. People have abortions because they derive personal benefit even if it is at the expense of the foetus. They are attached to the fruit of such action. This is *kamya karma* and it

lowers man from humanity to true animality. (Srinivasachari, 1943 p74) The highest form of actions are those performed for the well-being of others without being attached to the fruit of such action as stated in the Bhagavad Gita: "*saktah karmnay avidvamso yathha kurvanti bharata kuryad vidvams tatha saktas cikirsur lokasamgraham*: As the unenlightened act from attachment to action, O Bharata, so should the enlightened act without attachment, desirous of the guidance of the multitude." (Chidbhavananda, 1986 p246) "The enlightened one is desireless. Desire for the fruits of actions goads the multitude to activity. The enlightened man has no personal motive. Out of compassion for the ignorant he ceaselessly works." (Chidbhavananda, 1986 p247) Abortion is action that is performed with overwhelming attachment to the result, is personally motivated and shows no compassion for the defenceless foetus. This kind of action is particularly damning for the performer and should be resisted vigorously.

When considering the Doctrine of Karma, another principle to consider in the Hindu perspective on abortion is reincarnation. Some of the most cogent views on abortion can be derived therefrom.

#### 5.2.7 Reincarnation, Rebirth and Abortion

The Hindu belief is that a soul passes from body to body in many cycles of births and deaths until it unites with the Creator. A closer analysis of how this occurs will clarify the Hindu view on abortion.

At the time of death, the soul transmigrates from one body to another. The Law of Karma teaches that man's actions determines the lengths of his life and the number of lives he will need to finally unite with the Creator. This cycle of birth and death is described in the Brihadaranyaka Upanishad: "As a heavily laden cart creaks as it moves along, the body groans under its burden when a person is about to die. When the body grows weak through old age or illness, the Self separates himself as a mango or fig or banyan fruit frees itself from the stalk, and returns the way he came to begin another life." (Easwaran, 1996 pp46-7)

At the time of death, the soul together with the sukshma sharira (or subtle body), leaves the body and takes on another body. The subtle body transmits our karma, instincts and inner personalities. "The Jiva or the individual soul along with the Pranas, the mind and the senses leaves his former



body and obtains a new body. He takes with himself Avidya, virtues and the impressions left by his previous births.” (Sivananda, 1997 p22) At death, therefore, it is only the physical body that dies; the soul and sukshma sarira transmigrate. The sukshma sarira has in it the grand accumulation of all the person’s karma, instincts and personalities over his or her numerous births and deaths. “The soul takes with it the subtle parts of the elements which are the seeds of the new body. All the elements accompany the soul.” (Sivananda, 1997 p23) This, together with his karma, instincts and personality traits he takes into his next life as he continues his journey.

The passage of the self from the body varies according to the number of good actions done by the Jiva and the knowledge gained by him. If he has a good store of virtuous deeds and relative knowledge that would take him to the Sun, the self leaves the body through the eye. It leaves through the head if he is entitled to the world of Hiranyagarbha. It leaves through other passages according to its past work and knowledge. (Sivananda, 1997 p33)

The soul accompanied by the chief vital air (Mukhya Prana), the sense organs and the mind, taking with itself, Avidya, good and evil actions and the impressions left by his previous lives, leaves its former body and obtains a new body. (Sivananda, 1997 p33) In the case of human birth this accumulation of work, impressions and knowledge has allowed him to take birth as a human being. Human beings, as seen earlier, represent highly evolved souls who are on the upper rungs of the ladder of self-realization. When an abortion is performed, the soul and sukshma sarira are deprived of a physical body that they have chosen in the journey of self-realization. This process is interrupted and the soul and sukshma sarira have to begin again. The body that is chosen is based on the karma or actions of the person in his previous life. At a certain time and depending on the actions performed in a life, the sukshma sarira decides to leave the present body and take on another. Depending on the actions performed, a suitable body is chosen and the soul and sukshma sarira enter that body. By having an abortion, it is conceivable that this ideal body is destroyed and the sukshma sarira and soul have to find another. Whether it is possible to find another ideal body is a matter of great doubt considering that individuals are as individual as they are even down to their finger prints. Furthermore, considering the Hindu view that the sukshma sarira is responsible for the transmission of instincts, it follows that the pain instinct is also transmitted at conception and therefore, the ability to feel pain must be present in the foetus. Therefore, the foetus will feel

pain when it is aborted. This will also have to be taken into account from a Hindu perspective. Causing pain for another is in general terms *adharmic*. The fact that the foetus feels pain raises various important ethical concerns with regard to the treatment of the foetus. In a world where causing pain for experimental rats is frowned upon, it is difficult to accept that causing pain for the foetus will be acceptable or can be justified.

The Law of Karma teaches that as we journey from one life to another, we carry with us the fruit of our previous actions. To be born a human being is auspicious and represents a high form of evolution in terms of self-realization. The foetus already contains these achievements in the *sukshma sarira*. The foetus is therefore not merely a lump of tissue; it contains the soul and the *sukshma sarira* - a highly evolved being. In terms of the physical body, it still has to develop but, crucially, in terms of the subtle and causal bodies it is very highly evolved and should be treated as such. When abortion is described or justified with the argument that it is just a collection of tissue, the essential nature of the foetus is undermined. There is no difference between the adult and a foetus when one considers the nature of the subtle and causal bodies. If the destruction of the body of an adult is considered as murder, then the destruction of the body of the foetus is also murder.

Another important argument arising from the Doctrine of Karma is that actions, including abortion affect not only the *Sanchita* but also the *Prarabdha* and *Agami* Karma of the performer of the abortion, the foetus and the mother. The effect of an abortion is not necessarily temporary, but more lasting. Abortion affects the *Agami* karma as well and the effects of this action will be carried into the future. Therefore, the decision to have an abortion has to take this into consideration. This *Agami* Karma is inclusive of all one's future lives and this action will affect all one's future lives.

It is conceivable that one may argue that the foetus had to suffer this fate. However, this argument while attempting to draw from the Law of Karma is flawed. The supremacy of free will is not compromised by the Law of Karma; life has many choices and we are free to make choices and to be accountable for those choices. A mother may not argue that it was the Karma of the child to have an abortion and she is merely obliging. She has the choice to perform whatever actions she chooses and she has to be accountable for her actions; she cannot escape the reward or punishment

for her action. Furthermore, no one knows what the Karma of another is and therefore the mother cannot rationalize that it was the karma of the child to be aborted. Abortion is an adharmic action and can only have negative effects for the mother if she allows it. The effects of any action, including abortion may not necessarily be felt in this life; it may be felt for many lives after the action is performed.

There are, therefore, many perspectives within the Doctrine of Karma that lead us to the conclusion that abortions are not acceptable. This Doctrine forbids that abortions should be performed due to the effects that are not confined to the act both spatially and temporally.

#### 5.2.8 The Ashrama Dharma System and Abortion

Hinduism believes that Hindus should pass through four stages; brahmacharya (studentship), grihasta (householder), vanaprastha (hermit) and moksha (renunciant) in his spiritual journey during his life. These stages have important implications for this discussion on abortion.

In the case of Brahmacharya, self-control and celibacy are very important. Celibacy has been discussed (in chapter three). By stressing self-control, Hinduism implies that frivolous sexual activity is not allowed. Frivolous sexual activity leads in a very significant number of cases to unwanted pregnancy and this then increases the abortion rate. The impact of these teachings of Hinduism will certainly have a major impact on the number of abortions that are performed and Hindus should popularise these teachings.

#### 5.2.9 Hinduism, Celibacy and Abortion

Celibacy is a cherished goal of a Hindu's life. The first stage or ashrama that a Hindu enters is the stage of Brahmacharya. The essence of Brahmacharya is celibacy. In this stage, the stage of the celibate student, the person is to abstain from sexual indulgence in thought, word and deed. One should not fall victim to unrestricted sexual activity as it is believed that the mind is not adequately developed to behave responsibly with regard to sexuality at this stage of life. Furthermore, sexual activity affects one's intellectual functioning and this is crucial when one is a student. It is believed that the semen contains the life-giving force and by engaging in wanton sex, this life-giving force

is depleted and this leads to a decrease in intellectual functioning. Many abortions are performed because of teenage pregnancies. The Hindu view of abstaining from sexual activity at this vulnerable stage will definitely lead to a decrease in the number of abortions in teenagers. Celibacy, with very good reason, is expected in this stage and any sexual activity is prohibited before marriage. The requests for abortions often arise out of casual sexual affairs and unrestricted sex at this stage of life. A stricter observance of the teachings of Hinduism in this regard should be encouraged.

#### 5.2.10 The Hindu View of Creation and Abortion

One of the central questions in considering the issue of abortion relates to Creation. Various Upanishadic texts provide insight into the Hindu view of Creation. In the Brihadaranyaka Upanishad it is said that:

In the beginning, this universe was verily the self (Viraj) (the universal being identified as the sum total of gross bodies in the universe) in the form of a person. He pondered and beheld nothing else but himself. He first said: "I am he." Verily he did not at all feel happy. Therefore, one (still) does not feel happy when alone. He desired a mate. He became the size of a man and wife embracing each other. He divided this very body into two. From that husband and wife came into being. Therefore, this body (of a man) is one-half of himself, like half of a two-celled seed. Hence this void is verily filled by the wife. He united with her. From that men were born. (Hume, 1954 p50)

In the Chandogya Upanishad, this view of creation is also expressed: "May I become many, may I grow forth." (Swahananda, 1980 p 418) In the Taitereya Upanishad, a similar view is expressed:

Desiring that he should become many, that he should make of himself many forms, Brahman meditated. Meditating, he created all things. Creating all things, he entered into everything. Entering into all things, he became that which has shape and that which is shapeless, he became that which can be defined and that which cannot be defined; he became that which is conscious

and that which is not conscious; he became that which is gross and that which is subtle. He became all things whatsoever: therefore the wise call him the Real. (Prabhavananda, 1979 p84)

The Hindu view is that Creation is from the Creator (Brahman) and that the Creator is in and beyond His creations. The fact is that the whole universe, all beings including the foetus, are part of the Creator. "The world does not exist independently of God who is present in all things. To see God in all things and all things in God is true seeing." (Rambachan, 1993 p58) As the foetus exists in God, it is sacrosanct. Furthermore, it appears that the Creator created man and gave him the ability to reproduce as part of the Creator's plan for his Creation. The overwhelming view in the Hindu tradition is one of growth and creation. Abortion is directly opposed to this. Humankind, like all of nature, has been gifted the ability to reproduce; abortion is a rejection of the gift of life.

The Hindu view of Creation also emphasizes that God Himself values this Creation and more particularly humankind. God exists in this Creation and values this Creation. "In the Bhagavad Gita, Krishna says: 'Nothing higher than Me exists, Arjuna. Everything that exists is strung on me like a string of jewels on a string'. (7.7) Krishna is indicating his value for the creation and how precious all these are to him." (Rambachan, 1993 p55) Abortion seems to place no value on the foetus and in so doing places no value on what even God himself sees as valuable.

#### 5.2.11 The Five Cardinal Values of Hinduism with Specific Reference to Ahimsa and Abortion

Hinduism teaches that the five cardinal values should be pursued relentlessly. These are ahimsa (non-violence) brahmacharya or self control, asteya or non-stealing, sathya (truth) and aparigraha or generosity. These values allow us to aspire towards self-realization. These values form the basis of a spiritually elevating life and also have important implications for the whole approach to the question of abortion. It is noteworthy that in this list, ahimsa comes first as it is the most significant of them.

Brahmacharya emphasizes self control and celibacy and these are extremely important virtues to cultivate with regard to sexual behaviour and these impact directly on the issue of abortion as

discussed earlier. As many pregnancies arise out of a failure to exercise self control and as self control is one of the cardinal values of Hinduism, by inference, Hindus should not need to have abortions.

Ahimsa or non-violence is the pinnacle of human values that is emphasized in Hinduism. Hinduism teaches non-violence in thought, word and deed. Ahimsa is the highest expression of the Hindu world view that there is an unbreachable unity of life. Ahimsa is based on the view that all exists equally in the Creator and it is this view that forms the basis of dharma. It is this view that establishes the sacredness of life. Abortion is a gruesome form of violence inflicted on a helpless foetus. Every method of inducing an abortion has associated with it some form of violence. Whether suction curettage or curettage of the uterus using a curette is used, the whole procedure is laden with violence. Furthermore, the worst form of violence is the terminating of a life. The Brahma Purana elaborates “a good man eschews slaughter of living beings. He lays aside his weapons. He does not mete out punishment. He never injures others. He neither kills nor abets slaughter. He does not encourage killing. He does not make anyone kill anyone. He is friendly to all living beings.” (Shastri, 1985 p627)

The Hindu tradition is vehemently opposed to the taking of life as explained in the famous hymn from the Rg Veda that instructs: “himsan na kuryat”, thou shalt not kill. The foetus is a living entity and therefore abortion is murder. Abortion is thus not permitted in this context within the Hindu tradition.

Ahimsa is not just the absence of violence. It is “compassion and self-sacrifice”. (Rao, 1986 p161) “Gandhi advocated ‘non-violence of the strong, who would disdain to kill but would gladly die for the Truth.’ Since man is essentially spirit and has to use his body only as expressing the spirit, any conduct that makes him brutal is evil.” (Rao, 1986 p161) While Hindus accept that ahimsa is non-violence, ahimsa is a much richer concept in that compassion and self-sacrifice are essential facets of this concept. In the context of abortion, abortion can be considered as murder and also appears to contradict the other essences of compassion and self-sacrifice and can therefore be considered as unacceptable.

Any violent act, like abortion is, has far reaching implications for the performer of such an act. It

affects his karma and it is an act he or she has to “pay for”. This can act affects his journey towards God realization and the effects of such an action will be to his or her detriment. Furthermore, the mother who has been gifted with the foetus and has the responsibility to care for it, by allowing or consenting to an abortion is also guilty of committing an unrighteous act and also delays her progress towards God realization which is the goal of human life. “Ahimsa, non-violence, is compassion and self-sacrifice. It is the law of our species as violence is the law of the brute, for he knows no law but that of physical might. The dignity of man requires obedience to a higher law, to the strength of the spirit ...” (Crawford, 1986 p161) It is in the context of this higher law that we have to judge the act of abortion and at that level, abortion reduces human beings to mere brutes.

#### 5.2.12 The Implications of the Hindu Samskaras for Abortion

The Hindu Samskaras have special significance when one considers the Hindu view on abortion. The first of the Samskaras is the Garbhadana that is performed before conception. Conception for the Hindu tradition was seen as an intensely Divine act and necessitated the presence and the grace of God. In this Samskara, the God Pusan is invoked before the couple cohabit. Furthermore, various rituals are performed to ensure that the sexual act results in conception and that the child is born healthy. The word Garbhadana implies to a large extent the Hindu view of conception. “Garbha” refers to the “womb” and “dana” is the “giving of a gift”. Thus conception is seen as a gift to the womb. A gift is to be appreciated and cherished. The Hindu view is therefore that the foetus is to be cherished and appreciated. The foetus is Divine and profoundly valuable. The sexual act is a sacrament to procreate. When an abortion is performed all these intensely significant factors are not considered. This Divine gift that is supremely important as it leads to spiritual advancement is annihilated. Abortion therefore goes against the very grain of the Garbhadana; a deeply significant Samskara. In so doing, abortion challenges the very foundations of Hinduism.

Furthermore, the idea of “dana” is deeply spiritual in the Hindu tradition. “Dana is the practice of benevolence” and in its highest form is “beneficence done for the sake of duty and not from a desire for personal gratification.” (Srinivasachari, 1943 p69) In the offering of a gift various rituals have to be performed and the giver of a gift is equated to God who is the Giver of all that there is.

The practice of “dana” or the giving of gifts is seen as being a very noble and virtuous act and both the giver and the receiver benefit from such an act. The giver of a gift in a non-attached manner benefits spiritually from such an act. The receiver of a gift gains spiritually by accepting the gift with gratefulness.

The antenatal Samskaras emphasize the Hindu argument against abortion. The Punsavanam and the Seemantonnayana are performed for the well being of the child. While there is the physiological development of the foetus, these Samskaras focus on the spiritual development of the foetus. These Samskaras emphasize the pervading Hindu ethos that the developing foetus is not just a physical entity but a spiritual one. It is therefore inconceivable that Hinduism will be supportive of the destruction of the foetus. Abortion goes against the very ethos of Hinduism when one considers that every attempt is made to protect and augment the development of the foetus.

A further observation is that in the Samskaras, both the husband and wife jointly perform the rituals, emphasizing the fact that both the parents have to be involved in all decisions related to the foetus. Neither parent is allowed to make decisions with regard to the foetus individually; the well-being of the foetus is the responsibility of both parents. *As this responsibility is a joint one, the mother does not have an absolute right to decide on an abortion.*

The Vivaha Samskara is also important in considering the Hindu view on abortion. By specifying an age when sexual conjugation is allowed, the Samskaras guard against teenage pregnancies outside matrimony. A female has to be above the age of sixteen and must have completed her education while the husband should be at least twenty five years old. (Shastri, 1985 p78) This injunction is extremely important especially when one considers that there is an alarmingly high rate of teenage pregnancies. Furthermore, only a married lady is allowed to have sexual intercourse, and that too, with her husband only (except in circumstances as outlined earlier). The Samskaras emphasize that sexual intercourse is for no other reason but to secure progeny; in fact, the Samskaras are used to ensure that conception occurs and that healthy children are born to a married couple. While it is accepted that sexual intercourse does occur out of wedlock and that sexual intercourse is engaged in only for pleasure even by Hindus, it is nonetheless important to emphasize that the Hindu position is that sexual intercourse is permitted only in a marriage, at the right stage of life and for the purpose of procreating. It is further conceded that while not all Hindus



follow the Samskaras, it is important that these Samskaras be emphasized and the view that sexual intercourse is laden with personal responsibility and religious significance. Adopting this kind of approach may contribute to the decrease in demand for abortions in teenage and unwanted pregnancies.

The Vivaha Samskara emphasizes that the securing of progeny is an extremely important duty of any married couple. It is by progeny that the continuance of the family line is secured. The traditional Hindu view is that the most important reason for marriage is to have children. However, the samskaras also convey the idea that marriage is also for companionship and warmth. Children are also seen as a source of great joy not only to the parents but to the extended family and the community at large. Abortion goes against the very ethos of a Hindu marriage by undermining the very reason for marriage which is the begetting of progeny and by contradicting the values of love, warmth and companionship that are strengthened by begetting children. The Hindu idea of the family is a closely knit unit cultivating spiritual values in each of its members as they strive for self-realization. It can be inferred that abortion is opposed to this.

### 5.3 Hinduism on Abortion Specifically

Having considered broadly based Hindu views and relating these to the question of abortion, it is important to focus more pointedly at a more specific Hindu view on abortion. Many of the arguments above have a more general flavour to them; however, to fully understand the Hindu view on abortion, it is important to take a more focussed view on Hindu ideas that relate more closely to the issue of abortion.

#### 5.3.1 The Importance of Progeny

The scriptures of the Hindus emphasize the supreme importance of progeny. The Hindu tradition repeatedly and emphatically stresses this vital goal in a human being's life.

Pandey as indicated earlier (refer Chapter one) emphasizes the importance of progeny as seen in ancient Hindu societies. Progeny ensured that a man's home and family did not die out. Furthermore, progeny provided for the worship of the ancestors and God. This latter idea became

very prominent in later times. (Pandey,1969 p135)

The Agni Puranam clearly indicates the importance of progeny thus: “The soul of a man’s forefathers, afraid of being led to nether regions, pray for the birth of a son in the family, so that he may visit the sacred Gaya, perform their obsequies therein, and may thus lift them up from the palpable and impenetrable darkness of the lower worlds.” (Shastri, 1967 p450) The Garud Purana also emphasizes the importance of progeny: “The virtue of a topaz (gem) consists in removing the sterility of a woman and crowning her with the glory of maternity”. (Shastri, 1968 p203) In the story of Rudri who chose not to marry, he was commanded thus: “do lawfully take a wife, O son” (and have a son). “Otherwise in the absence of any provision for the further world, thy whole life would prove a failure.” (Shastri, 1968 p 253) The provision being referred to is that a child would be able to perform the last rites of the father whereby the father would be able to gain salvation. The importance of this duty is also emphasized in the Sama Veda: “With that son, I became free from debt towards my parents. May my parents be unharmed and blissful by me.” (Griffith,1973, p292) Progeny therefore has a significantly spiritual purpose.

The importance of progeny is also alluded to in the Charaka Samhita when it advises that one desirous of progeny should use aphrodisiacs regularly. (Sharma, 1981 Vol 2 p36). Progeny are the source of happiness, fame, livelihood and many other worldly attainments. Furthermore, and more importantly, progeny are important as they help the parents fulfill their duties to their ancestors and this is regarded as a pivotal duty for a Hindu.

Progeny are also a source of wealth; not only material but spiritual as well. Children provide great joy and when one has children, it is considered to be worthy of fame. Charaka further emphasizes the importance of progeny, in this regard, as follows:

The man alone without progeny looks like a tree having only one branch, shadeless, fruitless and with foul smell. He is a single lamp in a picture, pond dried up, non-metal looking like metal and chaff made into the human form. The childless man should be regarded as unstabilised, naked, vacant, having one sense organ and inactive. The man having numerous progeny is like one having many forms, faces, troops, actions, eyes, knowledge and selves. He is

praised as auspicious, commendable, worthy, potent and numerously branched. Pleasure, strength, happiness, livelihood, expansion, large clan, fame, worldly attainments, happiness at the end (of life) and contentment depend on progeny. (Sharma, 1981 Vol 2 pp 36-37)

It is interesting that Charaka should choose to describe the man without progeny as being so singularly alone. In quite stark contrast, the nature of the Divine as described by Arjuna in the Bhagavad Gita is as follows: "I behold You, infinite in forms on all sides, with countless arms, stomachs, mouths and eyes; neither Your end nor the middle nor the beginning do I see, O Lord of the universe, O Universal Form" 11.16 (Chidbhavananda, 1986 p594) "With hands and feet everywhere, with eyes and heads and mouths everywhere, with hearing everywhere, He exists enveloping all." 13.14 (Chidbhavananda, 1986 p690) The Hindu tradition teaches that we are to progress from our condition of aloofness from the Divine to the realization of our oneness with the Divine. It is clear that progeny helps us progress from a condition of alone-ness to a condition of oneness with the multitudinous Divine. Progeny serves a Divine purpose. Once again, the Bhagavad Gita indicates this:

Having first created mankind together with sacrifices, Prajapati said, "By this shall ye propagate, let this be to you the cow of plenty. With this do ye nourish the Gods and the Gods shall nourish you thus nourishing one another; ye shall obtain supreme good. Nourished by the sacrifice, the Gods shall indeed bestow on you the enjoyments ye desire. Whoso enjoys without offering to them their gifts, he is verily a thief. III 10-12 (Sastry, 1977 pp98-99)

The Bhagavad Gita further expounds that Gods are satisfied with sacrifice, rishis with a study of the scriptures and Pitrs (ancestors) by offspring. (Sastry, 1977 p99) It is clear therefore, that God created man to have progeny and progeny has an immensely important social and spiritual value; the establishment of communities on the one hand and self-realisation on the other.

Progeny is also important for the continuity of the family line as indicated in the Rg Veda: "Men yearn for children to prolong their line and are not disappointed in their hope" (Griffith, 1973 p45) (when a child is born). In the Linga Purana is the story of Adrishyanti who on being distressed at

the loss of her husband beat her belly - which is considered to be the abode of the child in the womb. Her mother-in-law was quick to admonish her:

O silly woman, tell us how you have attempted to destroy the family of Vashista by striking at your womb. For seeing your son, the child born to Sakti and for tasting the nectar of the boyish face of the noble son, the leading sage decided to preserve the body. Hence protect your body, O lady of good holy rites. Since the life of this sage and that of mine depend on you, you should preserve your life. As a nurse do what is beneficial to us. (Shastri, 1973 p252)

The chaste wife of Sakti preserved the child with great difficulty “for the continuity of the family line.” (Shastri, 1973 p252) “When the son of Sakti incarnated on the Earth, Sakti abandoned his sorrow and attained equality with the Pitrs.” (Shastri, 1973 p252) Progeny are seen as being integral to the spiritual evolution of the parents and the continuance of the family line.

The Mahabarata also supports this important Hindu view. Jwathini, a Brahmin vowed to celibacy was approached by his ancestors and advised as follows: “Thrive, son, with all effort for the continuation of our family, for your own sake as well as ours - for such is the Law, O Lord. For by neither merits of Law, nor high piled austerities do people in the world gain the God that others reach by having sons.” (Van Buitenen, 1973 p252) Progeny while being essential for the continuation of the family line, is also important for spiritual progress.

In the Aitereya Upanishad, we see the continuation of the family line as it links pivotally with the individual’s spiritual journey; progeny plays an important spiritual and social role.

1. In man indeed is the soul first conceived. That which is the semen is extracted from all the limbs as their vigour. He holds that self of his in his own self. When he sheds into his wife, then he procreates it. That is its first birth.
2. That becomes non-different from the wife, just as much as her own limb is. Therefore (the foetus) does not hurt her. She nourishes this self of his that has

entered here (in the womb).

3. She, the nourisher, becomes fit to be nourished. The wife bears that embryo (before the birth). He (the father) protects the son at the very start, soon after his birth. That he protects the son at the very beginning, just after birth, thereby he protects his own self for the sake of the continuance of these worlds. For thus is the continuance of these worlds ensured. That is his second birth.

4. This self of his (viz. the son) is substituted (by the father) for the performance of virtuous deeds. Then this other self of his (that is the father of the son), having got his duties ended and having advanced in age, departs. As soon as he departs, he takes birth again. That is his (i.e the son's) third birth. (Gambhirananda, 1978 pp56-60)

It is clear from this that a person has various successive births and these successive births are for the propagation of the family line as well as for spiritual progress. Furthermore, the self bears a self; this self takes birth; a birth regarded as the first birth of the person producing the self. The second birth is in the child of the parents; parents are born again through their children. In this scenario, it is not possible to justify abortion. Abortion disrupts not only the family line but also the various cycles of birth of the individual soul. Furthermore, abortion disrupts the very reason for birth which is to perform pious deeds for spiritual progress.

Progeny is of great significance from other spiritual perspectives as well. Progeny is important for the performance of the shradda rituals which are very important for a Hindu. Pandu says in the Mahabharata:

For a childless man they say, My Lord there is no door to heaven. Therefore I who am childless am much troubled, I declare to you. The sons of man are born on earth with four debts; which are to be paid to the ancestors, Gods, seers and men, a hundred fold, a thousand fold. The man who does not heed them when their time comes is destitute. (Van Buitenen, 1973 p250)

Man is obliged to perform various rites in order for him to make spiritual progress. Progeny is seen as very important in this regard. Manus explains these rites: "By the study of the Veda, by vows, by burnt oblations, by (the recitation of) sacred texts, by the (acquisition of the) threefold sacred science, by offering (to the gods, Rishis and manes), by (the procreation of) sons, by the great sacrifices, and by (Srauta) rites this (human) body is made fit for (union with) Brahman." (Buhler, 1886 p34) He further states that virtuous sons free their ancestors from sin (see Chapter 3). A son who performs these rituals liberates not only himself but also his ancestors and descendants (see Chapter 3) This emphasis on the performance of these rituals is for spiritual progress and evolution. A neglect of these rituals leads to spiritual decay. These ceremonies can only be done by children and therefore the importance of progeny is elevated to a spiritual level. Progeny and spiritual evolution are closely connected. The continuation of the family line is vital as indicated in the Bhagavad Gita: "On the extinction of a family, the virtues of that family disappear. When the dharmas disappear, unpiety (adharma) overtakes the whole family." (Sastri, 1977 p16) Furthermore, with the extinction of the family, "their forefathers fall (down to hell), deprived of the offerings of pinda (rice ball) and water". I 40 (Sastri, 1977 p16). The non performance of the shradda (or ceremonies) has dire consequences for the ancestors. For the family that becomes extinct, dharma disappears and adharma prospers leading to the destruction of humankind.

Apart from all the other benefits of progeny, progeny provides great spiritual benefit for the child, the parents and the ancestors. The Brihadaranyaka Upanishad emphasises this further: "By making offerings to the manes and desiring offspring, he (the householder) becomes the support for the manes." (Muller, 1993 p125). The Satapata Brahmana encapsulates this important benefit of offspring thus: "Whoever possesses offspring, though he, of his own self, be one only, yet that offering is made tenfold by his offspring, hence offspring means more abundant offering" (see chapter 1). The making of offerings is very important in the Hindu tradition and the propagation of this ritual is also important. The making of offerings is tacit surrender to a higher being and this is an extremely important step in one's spiritual journey. The prime duty for every human being is to realize his oneness with the Supreme. This necessitates the acceptance of the idea that there is a Supreme Being. In accepting the existence of the Supreme Being, another critical step in this journey is to surrender to this Being. In making offerings to the Supreme Being we take both these essential steps. In having offspring this evolutionary process of self-realization is amplified and facilitated. "Worship of ancestors and God was dependent on progeny". (Pandey, 1969 p135)

In the spiritual journey of a Hindu, he is to repay the three debts to the world of men, manes and gods. To men, one pays the debt by performing the shradda (the rituals for the departed souls). To the manes, one repays the debt by having offspring, and one repays his debt to God by making offerings. One who does not make these offerings is “verily a thief”. (Sastry, 1977 p99) The repayment of these debts helps to fulfill one’s quest for self-realization which is his oneness with the Supreme Being: “ Prakriti (the Paramatman) and Purusha (jivatman) are the two Prakritis of Isvara, the Lord.” (Sastry, 1977 p355) The very reason for human birth is self-realization (realization of the oneness of Prakriti and Purusha) and it appears that life will be pointless if these debts are not repaid as it is the repayment of these debts that helps one on one’s spiritual journey. It is also worth noting that even one’s ancestors whose very lives were to realize their oneness with God could also be helped by the performance of the shradda. This spiritual benefit that progeny brings is probably unique to the Hindu tradition and emphasizes the great spiritual value of progeny. In fact the real reason for progeny is a deeply spiritual one, as indicated in the Prasna Upanishad: “The Lord of all creatures became desirous of progeny. He deliberated on past Vedic knowledge. Having brooded in that knowledge, He created as couples - food and Prana (jivatma) - under the idea: ‘These two will produce for me in multifarious ways’” (Hume, 1954 p411) This producing in multifarious ways is also the way to moksha for the parents as asserted by Crawford:

Before a person qualifies for moksha, he must pay off vital obligation incurred as a member of the family of man. There is the debt to the rsis (rsi-rna) who have served as revealers of the truth contained in the Vedas. This is repaid by passing through the Brahmacharya asrama in which the Vedas are studied according to the prescribed rules (vidhiva). Then there is the debt to the ancestors (pitr-rna). This is paid by passing through the Grahasthya asrama. The householder procreates many sons in accordance with dharma (dharmatah) and thereby ensures the perpetuation of his own family and that of the human race. The third debt is to the deities (deva-rna). It is reciprocated by performing the sacrificial duties of the Vanaprasthya asrama. (Crawford, 1986 p109)

One of the ways to gain moksha which is the fundamental reason for human existence, is to have progeny.

Progeny, in the Hindu tradition plays a significant role in bringing fruitfulness to the lives of the parent, as seen in the Kaushitaki Upanishad: "A father, when about to de cease, summons his son" and says "My vital breaths (*prana*) in you I would place! (and) the son (reply): 'Your vital breaths in me I take.'" II 15. Herein is the symbolic handing over of the various achievements of the parent to the child - adding meaning to the life of the parent. It is therefore patently clear that abortion cannot be allowed in Hinduism.

Progeny is believed to be so vitally important in the Hindu tradition that it even allows the practice of *niyoga* (where a married lady whose husband has died is allowed to secure progeny by conjugating with the brother of her husband or some relative of her husband purely for the purposes of securing progeny). This custom is used not for amorous desire but for the continuation of the family lineage (see Chapter 3). This practice indicates how fundamentally important progeny was to the Hindu in that it was allowed to contradict all the rules of marriage and celibacy - so that progeny may be secured. This is further emphasized in the Minor Law Books that allow for the husband to leave his wife if she is not able to provide progeny (see Chapter 3); again, a radical departure from the fundamental principle underlying a Hindu marriage that emphasizes togetherness. In a similar vein, the great Pandu in the Mahabharata instructs his wife thus: "O Kunti, being destitute myself of the power of procreation, I command thee to raise good offspring through some person who is either equal or superior to me." (Ganguli, 1981 p251). Pandu continued "For then, owing to thee, I may go the way that is reserved for those that are blessed with children". (Ganguli, 1981 p255)

Progeny is also seen as the imparter of great joy as seen in the Sama Veda: "God, being the Bestower of joy like a son is Pure and Mighty. Just as a son makes his venerable parents, the advancers of true knowledge and life, shine, so does God make splendid the Heaven and Earth, the preceptor and disciple, the King and his subjects." (Chand, 1963 p166) God the giver of all joy is being compared to a son indicating the great joy inherent in child bearing and rearing.

Considering the question of abortion in this context, it is clear that with such a significant emphasis on progeny, it is unimaginable that Hinduism will sanction abortion. An abortion affects not only the spiritual progress of the parents but also the ancestors. Progeny have a vital spiritual role apart from the fact that progeny are important in pastoral communities and apart from the great joy that



progeny bring to the parents. This vital spiritual role is central to the Hindu view on abortion. In emphasizing the spiritual value of progeny, Hinduism argues powerfully and emphatically against abortion.

### 5.3.2 Ownership of the Foetus

In considering any view on abortion, it is important to consider the issue of ownership of the foetus. Many arguments for abortion hinge on this concept. Ladies believe, rightfully, that their bodies are their very own and that the foetus that is growing within their body is therefore their own and therefore they have the right to decide what happens to their bodies and by implication to the foetus also. This is a pivotal argument in the pro-choice approach to the question of abortion. It is therefore important to consider ownership of the foetus from a Hindu perspective.

The human body, being moulded from cosmic matter is a microcosm or miniature cosmos. The constituents of the jiva are derived from the physical self and the reproductive cell is reproduced from the parent. The necessities for the continued nourishment and development of the reproductive cell and the embryo is also derived from the animal and plant kingdom that exist in the cosmos. The mind is derived from the cosmic source and is presided over by God who ultimately maintains the cosmic order. The embryo and, so too, the child cannot maintain itself without social help - in this way, the cosmos is seen as a single, systematic whole in which there is no gap between atom, cell, sense, self and society. It is in this setting that salvation is sought and achieved. The empiric self has, however, with its acquisitive instinct of ahankara (egoism), usurped the cosmic elements and made them its own. (Srinivasachari, 1943 pp67-8)

This essential unity between cell and the cosmos is sacrosanct - all the cells are integral units of a much wider reality. When human beings arrogate even these cells, then this essential unity is disrupted; a unity that is fundamental to the human being's continued existence. Abortion too is seen as a disruption of this unity and as this kind of thinking is based on egoism the results can only be spiritual disintegration. In a more pointed sense, the Brihadarayaka Upanishad emphasises this unity "Verily of created beings here, earth is the essence; of earth, water; of water, plants; of plants,

flowers; of flowers, fruits; of fruits, man (purusha); of man, semen.” (Hume, 1954 p168)

The Prasna Upanishad answers six very important questions with regard to the Hindu view on abortion that also contribute to the Hindu view on ownership of the foetus:

a) Whence, is the life (prana) born

This life (prana) is born from the Spirit (Atman, Self).

b) How does it (life) enter this body?

As in the case of a person there is this shadow extended, so it is in this case.

By the action of the mind (in one's previous existence) it comes into this body.

c) And how does it (life) distribute itself (atman) and establish itself?

As an overlord commands his overseers, saying; “Superintend such and such villages, even so this life (prana) controls the other life-breaths one by one.

The out-breath (apana) is in the organ of excretion and generation. The life-breath (prana) as such (svayam) establishes itself in the eye and ear, together with the mouth and nose. While in the middle is the equalizing breath samana (samana), for it is this breath that equalizes (in distribution) whatever has been offered as food. ... In the heart is the self (atman).

d) Through what does it (life) depart?

Now rising upward through one of these channels, the up breath (udana) leads consequence of good work (punya) to the good world, in consequence of evil (papa) to the evil world; in consequence of both, to the world of men.

e) How does it (life) relate itself to the external? (What are its cosmic and personal relations?)

The sun, verily rises externally as life, for it is that which helps the life-breath in the eye. The divinity which is in the earth supports a person's out breath (apana). What is between (the sun and the earth), namely space

(akasa), is the equalizing breath (samana). The wind is the diffused breath (vyana). Heat (tejas) verily is the up-breath (udana). Therefore one whose heat has ceased goes to rebirth, with his senses (indriya) ....mind (manas). (Hume, 1954 pp383-4)

The foetus is a spiritual complex with a physical body, a subtle body and a jiva (or atman). According to the Prasna Upanishad the jiva (or atman) arises from the Supreme Soul and is the essential element that gives life to the foetus. This atman comes to a particular body by virtue of its previous deeds. The impressions of these deeds are carried by the subtle body. It establishes itself in the new body by using various cosmic elements and it departs via some of these cosmic elements. Clearly therefore, the foetus is not created by the parents. The foetus belongs in a higher reality.

It is often argued that as the parents are responsible for the conception of the foetus, the foetus belongs to them or (as some may argue) belongs to the mother. However, the essential nature of the foetus is that it is an atman; the empiric self (jiva) is different from the real self (jivatma). With regard to the real self (jivatma), it is self evident and requires no proof.

Being of a contrary nature, it cannot arise from the body, the organs or the mind, or from their functions. It is fundamental. It exists in the psychophysical organism from the beginning. It is the sole regulatory principle of the changeable heterogeneous factors in an individual. Its presence is the antecedent condition of the purposeful behaviour of a living being. Wherever there is livingness there is sentiency. (Satprakashananda, 1977 pp198-9)

The parents cannot give rise to the very essential element of the living being and therefore it will be totally incorrect to argue that the foetus belongs to the mother or father or both as they have created it; the jivatma is fundamental - the parents cannot create it and therefore cannot claim ownership.

Satprakashananda makes this point most emphatically when he states that:

The unborn self cannot originate from either the male or the female parent. Not the parents' body, nor the mind, nor any of the ten organs, none of which has consciousness inherent in it, can generate the luminous self, which is of contrary nature. It is absurd to hold that the self of the child can emerge from the father's or mother's self, which is indivisible and immutable. (Satprakashananda, 1977 p199)

The foetus also has a mind and this mind too cannot be inherited from the parents. It is impossible "for the child to inherit the mind from either parent. An individual's mind is distinct from the self and the body as well." (Satprakashananda, 1977 p199) The mind cannot be derived from the body or the self. "From the organism's inception the mind exists as a distinct principle. A plan for self development is immanent in the very embryo." (Satprakashananda, 1977 p200) Furthermore, the "mind is impartible. It is too subtle to be broken into parts. Amputation of the body does not cause amputation of the mind. The receptacle of the mind remains the same while the contents change. It is the identity of the mind that maintains one's individuality beyond death and rebirth. Hence the child's mind cannot be a fragment of the parental mind. Nor can it arise from either parent's body or the self, being different by nature from both." (Satprakashananda, 1977 p200)

While it is well recognised that every living being bears a resemblance to its progenitors, it still retains its unique individuality by virtue of the fact that each has its own unique mental constitutions. This uniqueness is not inherited from the parents. Again, parents do not provide the mind of the foetus and therefore cannot claim ownership of the foetus. A further assertion that can be derived from the Hindu view is that as every "individual brings into this life his own mind and develops his own way" (Satprakashananda, 1977 p201), abortion deprives the world of a distinctly unique person making it a very grave deed.

Central to the Hindu point of view is the fact that "the child comes to the parent and is not begotten by them. The prime factor in the origination and development of an individual is the individual himself, all else is subsidiary to him." (Satprakashananda, 1977 p205) Even the parents are not cardinal in the origination of the foetus; the foetus is. This emphasizes that the parent cannot claim ownership of the foetus and any argument based on this fallacious view is critically flawed.

In developing this argument further, one has to consider the doctrine of reincarnation. This doctrine

teaches that the individual soul maintains its identity throughout a succession of births and deaths. "One and the same individual appears in different physical garbs, but all retain the same mind, which is inseparable from the body." (Satprakashananda, 1977 p206) The birth of an individual is the rebirth of an individual who died somewhere at some time previously. If one had to argue that the parents of the present foetus are the owners of the foetus then we have to argue that the parents of the foetus in its previous births were not the parents and therefore not the owners; a totally illogical situation.

Furthermore, according to the doctrine of reincarnation, the "individual souls or jivatmas build various bodies to display their activities and gain experience from this world. They enter the bodies and leave them when they become unfit to live in. They build new bodies again and leave them again in the same manner. This is known as transmigration of the souls. The entrance of the soul is called birth. The soul's departure from the body is called death." (Sivananda, 1997 p9) Herein, is a significant Hindu contribution to the discussion on abortion: the individual souls or jivatmas build the various bodies that they use to continue their spiritual journeys and therefore, it can be argued that these bodies belong to the jivatmas.

Conception is viewed as a very spiritual occurrence. God is invoked in several forms for conception to transpire as detailed in the Rg Veda:

O lady! Let Vishnu, the vital one which has direct connection with the task of conception develop your womb to facilitate conception - let Tvastar, the sunlight help in formation of forms of embryo, let Prajapati, the vital air known as Prana give life and invigoration to it, let Dhatar, the preserving apana preserve the embryo." (O' Flaherty, 1981 p66)

The Grihya Sutra also indicates that the God is involved in the creation of the foetus. (Oldenberg, 1963 p45) In this context, the foetus cannot be seen as belonging to the mother.

Finally, in considering ownership of the foetus, it is important to consider the relationship of the cosmos to the foetus. The physical body of the foetus is composed of the five great elements, earth, water, fire, air and ether. (Sivananda, 1997 p12). Furthermore, the "respective functions of the

organs are blended with the presiding gods. Light goes to the Sun from where it had its power of vision, speech goes to the fire, life-breath to the ear, the ear into the quarters, the body into the earth, hairs into animal herbs, hairs from the head into trees and blood and semen into waters.” (Sivananda, 1997 p12) This relationship between the various cosmic elements and the human body is underlined by the Hindu thinking that the body is a micro-cosmos created from the cosmos, existing in the cosmos and finally, being absorbed by the cosmos only to be formed again to house the soul again. The elements of the physical body of the foetus too are provided by the cosmos; the physical body owes its existence to the cosmos and not just to the parents. These elements are critical for the journey of the Prana or soul as explained by Swami Sivananda:

When he (the soul) departs, the chief Prana departs and when the Prana thus departs, all other Pranas depart after it. They cannot stay without the basis or substratum or support of the elements. The subtle elements or Tanmatras form the base for the moving Pranas. There can be enjoyment only when the Prana goes to another body. The essence of the elements is the vehicle of the Pranas. Where the elements are, there the organs and Pranas are. They are never separated. The soul could not enter the new body without Prana. (Sivananda, 1997 pp23-24)

Both the Prana and the elements are not created by the parents.

The latent (lit. Unmanifest) supreme nature (Prakriti) is the progenitor of all created things. She is self-begotten and controls the three fundamental virtues of Sattva, Rajas and Tamas. She is imaged or embodied in the eight fold categories of Avyakta (Unmanifest), Mahan (intellectual), Ahankara (egoism) and the five tanmatras or elementals (proper senses) and is the sole and primary factor in working out the evolution of the universe. The one absolute and original nature is the fundamental storehouse of materials out of which bodies of self-conscious (Karma Purusha) working agents (agents who come into being through the dynamical energy of their acts of Karmas) have been evolved in the same manner as all water, whether confined in a tank or a reservoir, or coursing free through the channels of streams and of mighty rivers have been welled up

from one and shoreless primordial ocean. (Sivananda, 1997 p153)

In this sense, the foetus is a manifestation of the Supreme who is the Creator - again making it impossible to justify that the foetus belongs to the parents.

The relationship between parents and the foetus is well elucidated by Swami Abhedananda

At the time of death, the individual germ of life contracts all its forces and powers and all these are centralized into a nucleus and that nucleus retains the life, the mind, the powers of the senses and experiences that the individual has gathered. Then, in the course of time, when the favourable conditions come, it manufactures another form. Parents are nothing but the principal channels through which these germs of life, or subtle bodies find proper conditions for manufacturing human beings by obeying the laws of nature. Parents do not create the soul. In fact, the parents cannot give birth to a child according to their will. It would be an absolute impossibility. Unless the soul comes to them and nourishes the germ, it would be an absolute impossibility. (Abhedananda, 1978b pp99-100)

It is clear that the foetus is not just passive, but is actively involved in the process of birth. The foetus is not just waiting to be born, it actively participates in its development and is the central element in human reproduction. The parents therefore cannot claim ownership of the foetus. While the foetus is the controller of this process, the Hindu view is that God is ultimately the Creator. "As the only existence before the creation, the Upanishads present God to be not only the intelligent cause of all that exists (nimitta karana), but the material cause (upada karana) as well." (Rambachan, 1985 p20)

Therefore, again, the foetus cannot be conceived of as belonging to the parents. "The human body is His to be cherished or cast away, according to His will." (Rao, 1985 p15) "Life is the greatest gift of God. Human birth is a special blessing. It is the Lord who brings the body into existence and bestows it with life. God is our real father and mother. The earthly father (or mother) will be foolish to think that he gave life to his baby." (Rao, 1985 p17)

When parents claim ownership of the foetus and therefore claim that they can do as they see fit with the foetus, they fall into the trap of egoism. Furthermore, the argument that because a mother carries the child in her body and because she has reproductive rights, the same applies. Egoism is to be resisted vehemently in this human existence as indicated by Rao:

To become a bhakta, one has to give up his ego. The ego-centric man is confined to himself; he is proud, arrogant, and blind to God. He is devoid of faith, devotion, discipline, and service. He is svarthin, self-centred. Ego-consciousness is the root of bondage. It prevents him from surrendering himself to the Divine, and from loving and adoring Him. Lust, greed, desire for power, pleasure, etc., take hold of him and separate him from God; they claim from him the love and devotion that are due to God. (Rao, 1985 p15)

Many of the motivations for an abortion are narrow and egoistic.

Hinduism makes a powerful argument that man is a cosmic being (see Chapter 3). The cosmos is created from God as asserted in Shruti and Smriti texts. Man is created by God, fashioned from and deriving sustenance from the cosmos. With regard to progeny, the Yajur Veda affirms that progeny is a cosmic provision and the provision for progeny is also cosmic. (see Chapter 3) Man, in fact, cannot escape his cosmic connectedness; man is a cosmic being - emerging from the cosmos, existing in the cosmos and disappearing into the cosmos again - only to re-emerge and continue his spiritual journey towards self-realisation. Man is a cosmo-spiritual reality; having a body fashioned out of the cosmic elements and an infinite and omnipresent atman. Against the backdrop of this rich and profound tapestry of man's interconnectedness with the Divine and the Cosmos, it is illogical to argue that the foetus belongs to the parents.

Having explored various Hindu perspectives, it is clear that the parents cannot claim ownership of the foetus. This also raises the question of whether anyone can claim ownership of their bodies. It is clear in the Hindu tradition that this claiming of ownership or egoism is born out of ignorance and self-realization is opposed to this, as self-realization centres around the true self and not the body; as in reality, one may argue that even this body does not belong to one. In fact, Hinduism teaches repeatedly that one should understand that everything belongs to or is one with the real self.



Claiming ownership of the physical body is the root cause of all suffering. *Viewing the whole issue of abortion from this vantage point, one realizes that many of the pro-choice arguments suffer the flaw of claiming an ownership that cannot be justified; we are all here to finally realize our oneness with God and surrender our identification with this body.* Doubtless, human beings are in various stages of spiritual evolution and therefore, it may be the very highly spiritually evolved who are able to shed the shackles of the physical body and realize their real selves - and therefore, much of what we do on this earthly plane relates to the physical body but the ideal is self-realization; we are not just this physical body.

### 5.3.3 The Hindu View of the Foetus and its Implications for Abortion

The Hindu tradition has always stressed that the unborn has to be protected. In emphasizing this, it is fair to infer that Hinduism considers the foetus as important. Many of the essential views on abortion from a Hindu perspective lie in the Hindu understanding and approach towards the unborn. In exploring this, consideration will be given to the moral, social and spiritual position of the foetus within the Hindu world view.

#### 5.3.3.1 The Unborn: Moral and Spiritual Significance

The Hindu texts, both Shruti and Smriti, repeatedly affirm that the unborn is worthy of protection. In making this assertion, the implication is that the unborn is morally inviolable and physically vulnerable. (Lipner, 1989 p43). This moral inviolability of the unborn is cardinal to the Hindu view on abortion and will therefore be explored in some detail. To arrive at the traditional Hindu view on the moral status of the foetus, various issues are considered including the protective attitude of the tradition towards the foetus, the personhood of the foetus, the spiritual significance of the foetus and the respect accorded to the pregnant lady (who is the carrier of the foetus),

##### 5.3.3.1.1 Protection of the Foetus

At the very time of conception, the Gods are invoked not only to allow conception to occur but also for the protection of the unborn as seen in the Rg Veda. The Lord Vishnu (the protector of the Universe) is invoked to prepare the womb, Tvastar, Prajapati, Dharr and Sinvali are invoked for

conception to occur and the Goddess Sarasvati is invoked to “place the embryo” (see Chapter 3). The Asvins are invoked to protect the embryo and allow it to be delivered in ten months. The Atharva Veda (VI 17) specifies a very specific prayer for the protection of the embryo and the prevention of a miscarriage:

As this great earth conceives the germs of the beings, thus shall thy embryo be held fast, to produce a child after pregnancy.

As this great earth holds these trees, thus shall thy embryo be held fast, to produce a child after pregnancy.

As this great earth holds the mountains and the peaks, thus shall thy embryo be held fast, to produce a child after pregnancy.

As this great earth holds the animals scattered far, thus shall thy embryo be held fast to produce a child after pregnancy. (Chand, 1966 pp98-9)

Therefore, one can appreciate that emphasizing the protection of the foetus establishes the idea that the foetus is important.

The value of the unborn is also demonstrated in the pre-natal Samskaras. In the Punsavanam, a pre-natal Samskara, Agni is invoked for the protection of the mother and the foetus: “Agni, the first among all the physical elements by grace of God come to her protection and save the offspring of this lady from the hold of immature death.” (Shastri, 1985, p74)

The Sama Veda admonishes thus: “O commander of army, kill not our revered elders, not our children. Harm not our full grown youths, harm not our progeny in embryo.” (Griffith, 1973, p237) Abortion is considered a heinous deed as can be inferred from the Kaushitaki Upanishad: “So he who understands me - by no deed whatsoever of his is his world injured, not by stealing, not by killing an embryo, not by the murder of his mother, not by the murder of his father; if he has done any evil (*papa*), the dark colour departs not from his face.” III 6 Abortion is seen as equal to the murder of one’s parents. It is interesting that while abortion is equated with the murder of parents,

parents who want to have abortions still put forward arguments to justify the killing of the unborn!

The importance of the unborn is also emphasized in the Atharva Veda that, while detailing a prayer to prevent a miscarriage and stresses the importance of protecting the embryo. In the prayer, as detailed on the preceding page, the analogy drawn between the earth and the womb is important as the suggestion is that the womb should be as protective of the embryo as the earth is of all that is found on earth. Furthermore, the mother of a child is often compared to “mother earth”, emphasizing the protective nature of the mother and the fact that the mother sustains the embryo. The fact that the mother is seen as the protector and sustainer of the unborn is opposed to abortion as in this situation the mother becomes the destroyer of the unborn.

The importance of the unborn is also emphasized in the prayer in the Atharva Veda for easy parturition during delivery. (Chand, 1966 p99)

There are numerous anecdotal incidents in which God Himself protects the foetus, emphasizing the importance of the foetus. In the Mahabharata, the great Duryodhana on hearing the Asvathanam killed an unborn child, “lost all hope of winning the war” (Van Buitenen, 1973 p28) The Shrimad Bhagavatam tells the story in which Krishna (The Supreme Personality of Godhead) enters the womb of Uttara to protect the unborn child. (Subramaniam, 1981 p15) Alluding to the same story, the Bhagavata Purana states that: “Krishna entered the womb of Uttara, the wife of Abhimanyu (the son of Arjuna) with the power of his maya. He was there when the astva entered her to destroy the unborn child. With his divine form he fought the astva and finally destroyed it.” (Tagare, 1979 p147)

While there are numerous instances where God is invoked to protect the unborn, in the Matsya Purana is the story of Diti in which even God himself in the form of Indra could not kill the unborn. Kasyapa and his Diti desired to have a son that would be able to kill Indra (a form of God). Diti was advised to perform a sacrifice by the great sage Apastama. At the conclusion of the sacrifice, Kasyapa performed purificatory rites to facilitate conception and began to counsel his wife on how a pregnant woman should live. Indra became concerned when Diti conceived and according to him, being a statesman, it was his duty to destroy his enemy. He therefore entered into the womb of Diti and attempted to induce an abortion by cutting the child into seven parts. Each of these parts

became divided into seven again and each part became a child and all were born to become the Maruts/Devas. (A Taluqdar of Oudh, 1980 p26) In this instance, the unborn was even protected from the God, Indra!

The Linga Purana makes a comparison between AUM and the womb in which the syllable “A” is likened to the seed, “M” the sower and “U” as the womb; indicating the great importance Hindus place on the womb as it is in the womb that conception and growth of the unborn occurs.

The sexual act is considered a very sacred act as it is that act that secures the all-important embryo. In the Hindu tradition the sexual act is seen as a “sacrifice”; and a sacrifice or yajna is one of the most significant offerings human beings can make to God. In the Sankhayana Grihya Sutra, the embryo is compared to the God Agni and Indra indicating the reverence with which Hindus view the unborn: “As the earth is pregnant with Agni, as the heaven is with Indra pregnant, as Vayu dwells in the womb of the regions (of the earth), thus I place an embryo into thy womb.” (Oldenberg, 1963 p45)

As the unborn is considered very special Hindus even pray for its well-being: “O learned men, secure us our good in thoroughfare, secure us our good in space, secure us our good in water, secure us our good in the well equipped army, give protection to children in the womb, and bless us to obtain all sorts of wealth.” (Shastri, 1985 p13)

Abortion is considered a despicable act as indicated in the descriptions in Hinduism as either *garbha batta* (killing of womb) and *bhruna hatya* (killing undeveloped soul stuff). (Crawford, 1999 p23) The likening of abortion to murder (*hatya*) indicates clearly that Hinduism is just as opposed to it as it is to murder. Furthermore, there is no distinction made with regard to age of the foetus; the killing of any foetus at any age is still called *bhruna hatya*. “There is no linguistic evidence to enforce a distinction positing different moral statuses in the unborn, or by implication, favouring abortion.” (Lipner, 1989 p57)

In a very pointed manner, Manu indicates that abortion is a grave sin. Manu suggests that the shradda should not be performed for a lady who causes an abortion. (Buhler, 1886 p184) As has been explained repeatedly above, the shradda is very important for spiritual progress. In prescribing

such a severe punishment for a woman who causes an abortion, the gravity of the crime is highlighted.

Reverence for the unborn is clearly indicated in the pre-natal samskaras including the Garbadhana, the Pumsayana and the Seemantonnayana. These samskaras are performed for protection and to augment the safe development of the unborn. Furthermore, all these samskaras presuppose that the embryo is a living being worthy of protection and reverence. In the Seemantonnayana Samskara, the symbolic parting of the mother's hair is performed. This parting of the hair symbolically represents the awakening of the unborn's intellect, suggesting that the unborn is already endowed with intellect.

The unborn is indeed sacrosanct. This powerful Hindu view is clearly illustrated if one considers the Hindu view of Creation. In the Brihadaranyaka Upanishad it is said thus:

In the beginning this universe was verily the self (Viraj) - the universal being identified as the sum total of gross bodies in the universe) in the form of a person. He pondered and beheld nothing but himself. He first said "I am he". Verily he did not feel happy. Therefore one (still) does not feel happy when alone. He desired a mate. He became the size of a man and wife embracing each other. He divided this very body into two. From that husband and wife came into being. Therefore, this body (of a man) is one-half of himself: like a two-celled seed. Hence this void is verily filled by his wife. He united with her. From that men were born. (Madhavananda, 1979 p50)

There are many variations of the same idea of Creation. Manu describes this process: "Wishing to produce different beings from his own body, in having desired (merely intending it), He created water alone, in that he cast His seed. That became a golden egg, like in splendour to the thousand rayed (Sun), in that was born spontaneously Brahman, the grandparent of all the worlds." (Hopkins, 1971 p44) The unborn is created by God himself and is therefore inviolable. In fact, the unborn is a part of God.

Julius Jolly in his book, *Indian Medicine* encapsulates why the Hindu views the foetus as being

inviolable. According “to the principles of philosophy, the soul entering the womb is an emanation of the Universal being. Just as at the destruction and creation of the world the Creator, the Universal being (*Brahma*), the omnipotent original spirit that causes everything, the eternal, the fountain-head, the highest, the unexpanded being, first creates the atmosphere at the creation of the world, and then successively the four remaining elements (wind, fire, water and earth) with highly developed qualities (*guna*), similarly while entering into the human body, he first receives in himself the atmosphere, then the wind and the remaining elements with highly developed qualities.” (Jolly, 1977 p66) There is a continuum between the Creator and the created; between God and the unborn; making the unborn sacrosanct. This view is central to the Hindu view on abortion and the essential Hindu teaching is to see God in everyone and everything as explained in the Isha Upanishad:

8. The Self is everywhere, Bright is the Self,  
Indivisible, untouched by sin, wise,  
Immanent and transcendent. He it is  
Who holds the cosmos together. (Easwaran, 1996 p209)

This teaching when expanded makes a significant contribution to the Hindu thinking on the issue of abortion as the inference is that all beings belong to one Supreme reality and by inference, the foetus also belongs to the same reality as can be deduced from the following verses of the Isha Upanishad:

6. Those who see all creatures in themselves  
And themselves in all creatures know no fear.
7. Those who see all creatures in themselves  
And themselves in all creatures know no grief.  
How can the multiplicity of life  
Delude the one who sees its unity? (Easwaran, 1996 p209)

The foetus will no doubt have to be considered as belonging to the Supreme Reality and therefore, Hindus should see themselves in the foetus and the foetus in themselves - one continuous reality. As such, to harm the foetus will mean that we harm ourselves. This enhances the moral status of the foetus and necessitates that we protect the foetus as we are one with the foetus. The oneness of Creation provides the philosophical and ethical fabric that emphasizes the inviolability of the foetus.

As abortion is a “violation” of the foetus, it will appear that the Hindu tradition will be opposed to abortion as it goes against the teachings of Hinduism.

#### 5.3.3.1.2 Personhood of the Foetus

For the Hindu, the foetus is rightfully acknowledged as a person. This view can be considered from various standpoints within the Hindu tradition that all underscore the same idea. In considering the doctrine of reincarnation, the foetus is clearly another manifestation of a person who passed on and is being reincarnated. “The birth of an individual is the rebirth of one of the many individuals who died somewhere sometime previously.” (Satprakashananda, 1977 p211) The grandfather, father, mother, child who is being reincarnated is unquestionably a person.

With this in mind, it is clear to understand the Hindu view that the unborn is a person. “The fertilized egg that grows to become an adult person cannot be regarded as merely a material unit endowed with livingness. What develops into a human individual must have the same latent in it. According to Vedanta, development means unfoldment of inherent potency. What lies latent in the cause becomes manifest as the effect.” (Satprakashananda, 1977 p209) The unborn develops into a fully fledged human being because the same is latent in it. Satprakashananda further elaborates:

The seed is the father of the tree, but another tree was itself the father of the seed. The seed is the fine form out of which the big tree comes and another big tree was the form which is involved in that seed. The whole of this universe was present in the cosmic fine universe. The little cell which becomes afterward the man, was simply the involved man and becomes evolved as a man as involution precedes evolution. (Satprakashananda, 1977 p210)

The fertilized egg is a miniature person. “Modern science tells us that a germ of life, by going through the process of evolution, can appear as a human being. If this be true, then everything that exists in a human being must have existed in a germ of life from the very beginning in a potential state.” (Sivananda, 1997 p77) In the same vein Crawford suggests, “the new being receives its genetic code at conception, and hence it is in the act of conception that hominization occurs. A being with a human genetic code is indeed a human being. It therefore makes no sense to discriminate

between degrees of human potentiality in terms of “ensoulment,” “viability,” and “brain waves,” because that which is conceived by two human beings is possessed of full human potential. It is nothing short of a self-evolving being.” (Crawford, 1999 p26)

All the main factors of human personality - the body, the organs, the vital principle, the mind, the self are all in their potential states in the fertilized egg; the child is preexistent in the fertilized egg.

This idea is emphasized in the Sama Veda that states: “The generative organ releases urine, but when it enters the womb it releases semen. The caul-invested embryo leaves by its birth covering fold. The child, by removal of covering folds, in their contact of external air, acquires wealth of soul, pure, excellent and enjoyable; and is endowed with these eyes, sweet like juice, and source of everlasting knowledge.” (Griffith, 1973 p303) It is clear that the embryo is covered with its “birth covering folds” and with the removal of these folds, it is a child, suggesting that the child is pre-existent.

For the Hindu, personhood is not related to the physical body or the empiric self, it is the real self that grants the status of person. It is the indwelling or abiding of the Lord as the very Self of all beings which constitutes and forms the basis of the dignity and worth of the human person in the Advaita perspective. The vision is one of every human being as the abode of the highest reality, and it is very important to note that, in Advaita, ultimate reality (sat) is attributed the highest worth and value. This constitutes the essential nature and true individuality of the human person in Advaita. It is a unique and intrinsic dignity from which nothing should detract. In and through every living being, Advaita calls upon us to perceive and worship God.

In the Hindu tradition, there are many anecdotes in virtually all the scriptures that underline the Hindu thought that the unborn is a person. In the Brahma Purana is the story of Diti in which the foetus is quoted as saying: “O thunderbolt one, why don’t you protect me, your brother. You are desirous of killing me. There is no other greater sin than killing (someone) outside battle. (Killing) except in battle is never just, O Lord of large arms.” (Shastri 1985 p997)

The child (of Uttara), as also seen in the Bhagavata Purana, while in the mother’s womb saw a glowing form emanating from the astva. He also beheld the form of Krishna who protected him for the astva. Krishna called him Parikshit because the child, even when he was in his mother’s womb



used to look at the form and ask himself: "Who is this person, dressed in yellow silk, wearing the lovely garlands, with the gada in his hand, who is protecting me all the time?" (Tagare, 1979 pp15-6) The foetus is therefore not only able to speak and see but is also able to rationalize and analyse. The foetus is also seen as being conversant with the Vedas: "The embryo in my womb is mature and is already reciting the Vedas." (Tagare, 1979 p 147) The Linga Purana also indicates that the foetus is a spiritually aware being: "Vasishta heard his grandson in the womb of his daughter-in-law Adryanti recite a sacred verse." (Shastri, 1973 p250) This child was a devotee of Rudra and was engaged in the worship of Rudra at that time. This view is also echoed in the Aitereya Upanishad: "Even while lying in the womb, I came to know of all the gods. A hundred citadels held me down. Then, like a hawk, I forced my way through by dint of knowledge of the Self." Vamadeva said this while still lying in the mother's womb. (Gambhirananda, 1978 p61) From the above, it is clear that Hindus always regarded the foetus as a thinking, hearing, seeing, feeling and spiritually aware being; the unborn is a person.

In considering the question of abortion, many ethicists argue that an important distinction has to be made between

the concept of a human being, which refers to a biological species, and the concept of a person is not species specific in its application but can refer to a member of any species with certain characteristics. The sort of characteristics possessed by persons are usually said by these writers to include a capacity for pain and pleasure, a sense of self, a sense of time, and rationality. In this view, personhood is the morally significant category. Fetuses are only human beings, not persons, and more developed children and adults are usually persons. This provides the rationale for treating fetuses differently from more developed humans. (Kuczewski & Polansky, 2000 p156)

In the Hindu tradition, as has been outlined above, the foetus does feel pain, does have a sense of fear and pleasure, definitely has a sense of self and time and does think rationally. As such, the foetus has to be considered a person.

In the Minor Law Books, "A child is comparable to an embryo up to his eighth year." (Jolly, 1969

p42) Herein, no distinction is made between the embryo and the child and if it is morally unjustifiable to kill a child, the same must be applicable to the unborn. This emphasizes further that the foetus is considered as morally equal to “developed children”.

The Hindu tradition specifically condemns the killing of the unborn. The killing of an embryo is specifically frowned upon and this makes abortion morally unjustifiable. In the Kaushitaki Upanishad the killing of the embryo is viewed with the same gravity as the killing of one’s mother or father.

For Hinduism, therefore, the greater care that is offered to the unborn is testimony to the significance afforded to the unborn. The foetus is seen as a person, refuting the idea that the foetus is a mere aggregation of tissue. The foetus is viewed as an important being, and in this respect, no different from a child. Just as a child is worthy of protection, the foetus deserves no less.

#### 5.3.3.1.3 Spiritual Significance of the Unborn

Human birth is for religious advancement and there can be no spiritual progress without birth; for man in this world, this is inescapable. “The dialectic of religious advance through tradition, logic and *life* helps the conservation of Hinduism by providing scope for change. Religion and philosophy, life and thought, the practical and the theoretical, to use the language of Croce, form the eternal rhythm of the spirit. We rise from life to thought and return from thought to life in a progressive enrichment which is the attainment of high levels of reality.” (Radhakrishnan, 1927 p21) Life is essential for spiritual progress. Crawford elaborates that the attainments of liberation are “difficult to achieve, entailing many stages of transmigration, but the underlying view of spiritual evaluation is a sustaining source of confidence that the goal shall be reached, that moksha is a *birthright*.<sup>17</sup>” (Crawford, 1999 p8) In asserting that moksha is a birthright, the implication is that on being born, one earns the right to moksha; without birth there can be no moksha. When one causes an abortion, one robs the jivatma of that birthright. This birthright is existent even at conception as conception in the Hindu tradition is for birth. From the time of conception, a new cycle begins in the soul’s journey towards moksha. Birth is for moksha and at conception, the soul earns the right to take

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<sup>17</sup>Italics inserted

another body and evolve towards self-realization.

For the Hindu, birth is a manifestation of the soul's yearning for self-realization. This self-realization occurs through the process of Samsara (a cycle of births and deaths). The embryo represents one of the steps. In this cycle, at the time of death, the soul has a vision of the body to come. The soul visualizes the body to come before he leaves the present body. (Sivananda, 1997 p35). When the soul passes from one body to another he is enveloped by the subtle parts of the elements which are the seeds of the new body. (Sivananda, 1997 p35) This new body is present in its potential state in the embryo.

The jivatma or soul is present at conception as indicated by Sivananda :

The Purusha or the self-conscious subjectively enters into Tanmatras (the five proper senses of hearing, touch, sight, taste and smell) and enlightens them with his own essence or self-consciousness for the purpose of working out the final liberation or emancipations (that is the attainment of the stage of pure consciousness or perfect knowledge). Just as milk being unconscious in itself flows out of the breast of the mother and contributes to the sustenance and growth of the child, so too the Tanmatras being unconscious in themselves contribute to the self becoming the self conscious self. The self conscious self is possessed of infinite consciousness, is real and eternally subject to the process of being evolved into a finite, organic, individual through the dynamics of the combined sperm and ovum. (Sivananda, 1997 p119)

The jivatma or essential self is therefore present in the unborn.

The Purusha or individual is nothing but a combination of a self-conscious self and the five kinds of matter (Mahabhutas) formed into an organic body. (Sivananda, 1997 p119) "The self conscious living soul has vital energy or life-force (prana) or mind with it. The mind is inseparable from the life force or vital energy. But mind cannot work unless it has an instrument. Therefore it manufactures the instrument of the physical body." (Abhedananda, 1978b p57) The mind is unquestionably present in the zygote and the unborn.

The unborn also has the essential information to allow the unfolding of our futures: "Vedanta says that, that which is born must die and that which is dead must be born again. The soul life however has no birth or death; it is eternal and immortal. It takes the form that it wants to. The outward form has its cause in the mental form and the mental or thought form is the result of our desire or craving or intense longing. So our future life will be determined by our desires." (Sivananda, 1997 p73)

The unborn is a combination of the sperm and ovum - or germs of life. These are not merely biological entities but they are spiritual entities imbued with life force. "These germs of life are nothing but minute invisible centres of force clothed with minute particles of ethereal matter, and having no form, they can appear in any form, either human, or animal, in order to manifest and express certain powers, lying dormant in those germs of life." (Sivananda, 1997 p78) These germs of life are called by various names. We may call them the vehicles of consciousness. Some call them individual souls or egos. The Indian philosophers describe them as subtle bodies (sukshma sarira) of the individuals. (Sivananda, 1997 p78) (While science will agree that the germ of life is a potential human being, the Hindu tradition explains why this potential has to be expressed). These germs of life are not present in a particular place at a particular time in any random manner. These germs of life are purposeful and are in the process of aspiring towards greater spiritual heights; they manifest for this specific purpose.

These subtle bodies, being governed by the law of cause and effect and subject to the law of action and reaction, appear again either on this plane or on some other to express some powers, to manifest those latent tendencies, and to gain knowledge and experience by coming into contact with these objects of sense which exist on the material plane. The reappearances of the germs of life in gross physical forms, whether animal or human, is called the "manifestation" which is known and understood by the theory of rebirth of the soul, or doctrine of reincarnation. (Abhedananda, 1978b p78)

These germs of life also desire to have a particular form - the form they choose to be in as manifested in the unborn. "The migrating substances, being of constant quantity and quality choose the forms and bodies according to the best of its character or desires. It is governed by the law of action and reaction." (Abhedananda, 1978b p79) They are present in a particular form, not by chance, but by deliberate choice. "As we throw away old garments and put on new ones, so the individual ego or

germ of life, after throwing away the old body, manufactures a new form for the purpose of fulfilling the aim of life.” (Abhedananda, 1978b p84) These germs of life are present in the unborn as it aspires towards self realization making the unborn a spiritual reality rather than merely a biological entity.

The unborn is regarded with great reverence as it is a spiritual entity as described in the Yajur Veda:

O learned person (soul in the womb) thou hast action, contemplation and learning for thy head. Gayatri is thy eye. Brihat and Rathantara are thy wings. Rg Veda is thy soul. Metres are thy limbs. The hymn of the Yajur Veda are thy name. The vamdevya saman is thy body. The deeds worth doing and shunning are thy tail. The yajnas are thy hooves. Thou art high souled, and master of noble qualities. Acquire knowledge and attain to happiness! (Chand, 1965 p166)

The soul of the unborn is seen as part of a broader consciousness which is essentially spiritual: “The whole universe is like an ocean of one living substance which contains the soul power and the source of intelligence and consciousness. Our present consciousness is a reflection or manifestation of that infinite source of consciousness.” (Sivananda, 1997 p72) This source of consciousness is present even in the unborn - making the unborn essentially spiritual.

In the Aiteraya Upanishad (2-4-1;4), it is stated that the self of the father conceives another self that is transferred into the embryo; that is the second birth of the father (the first birth being his own birth). (Gambhirananda, 1978 pp56-60) When the father dies and is born again, this is his third birth. Each one of these births has tremendous spiritual significance as each one of the births form a continuum between ignorance and progressive self realization; man takes many births to finally realize his oneness with the Supreme Reality. Furthermore, the foetus is not seen as a new attempt by a new jiva at God realization but rather as one soul taking many attempts to achieve ultimate realization. The foetus is seen as closely connected to the spiritual progress of the father.

The foetus is seen as a spiritual being, no different from other beings as it is endowed with the essence that makes it spiritual as expressed in the Prasna Upanishad: “It is you who moves in the womb as the Lord of Creation and it is you who takes birth after the image of the parents. O Prana,

it is for you, who resides with the organs, that all these creatures carry presents.” (Gambhirananda, 1978 p431) The Lord of Creation is present in the foetus making the foetus a spiritual being.

The spiritual significance of the unborn is that it is the first stage in allowing the formless soul or atman to take some physical form. Moksha is the realization of one's true form as being different from this physical form - realizing the formlessness of the atman. Form has to be used as a means to appreciating formlessness. The logical supposition here is that one has to have name and form and perform action to be able to evolve into the Supreme Reality. Conception is therefore seen as a vital step in spiritual progress. Furthermore, human birth is the highest expression of this quest for Realization.

According to Vedanta, immortality includes the meaning of progress, i.e. the progress of growth and evolution of the soul from lower to the higher stages of development. It also includes the idea that each individual soul will manifest the powers which are already latent in the soul by going through different stages of development until perfection and omniscience and omnipresence are acquired. In order to attain to this and to accomplish this highest end, the soul must manifest itself in various stages of life and gain experience. That cause which brought us onto this plane of existence will continue to bring us here in the future. If the same cause remains in us even after the death of the body, then nothing can prevent us from coming back to this plane of existence in order to fulfil our desires and purposes. (Abhedananda, 1978b p115)

Existence and spiritual progress begins with the unborn and that underlines the spiritual significance of the unborn.

#### 5.3.3.1.4 Respect for Pregnant Women

In the Hindu tradition the pregnant woman is treated with reverence as she is the carrier of the all important unborn. The husband of the pregnant woman is expected to fulfil the wishes of his pregnant wife. According to Yajnavalkya, “By not meeting the wishes of a pregnant woman, the foetus becomes unhealthy.” (Pandey, 1969 p69) Furthermore, there are very specific and detailed

instructions and suggestions laid down in the Hindu Samskaras with regard to the conduct of the pregnant lady. She is for example not supposed to exercise excessively, she should not sleep excessively and she should avoid stressful situations and quarrels. (Pandey1969 p68) This special concern for the pregnant lady is not only in the interest of the lady herself but also in the interest of the unborn, thus emphasizing the importance of the unborn.

The relationship between caring for the pregnant lady and its impact on the unborn is alluded to in the Ayurveda:

Wholesome food and life-style form a healthy fetus. This produces healthy *rasa* (plasma) in the woman that is necessary for both her life and the production of the fetus' growth, strength, satisfaction, plumpness, and enthusiasm. The wholesomeness of the mind connects the soul to the physical body. The factors that the mind (of the mother) gives the embryo are conduct, likes and dislikes, purity, memory, attachment and detachment. Other factors include valor, fear, anger, fatigue, enthusiasm, sharpness, softness, seriousness, and stability or instability. The more *sattwic* (virtuous) the mind, the more predominant the positive qualities. (Tirtha, 1998 p509)

It is clear that the foetus can be affected not only physically but also psychologically by the mother. In this context, by stressing the impact that the mother has on the foetus and providing suggestions about the conduct of the mother, the Hindu tradition emphasizes the importance of the foetus. This underlies the argument that, for the Hindu tradition, the foetus is very important.

#### 5.3.3.2 The Social Status of the Unborn

The unborn is seen as an essential part of the social fabric of Hindus. The unborn is seen as vitally important in ensuring the existence of Hindu societies as cohesive units. While no clear distinctions can be made between the spiritual and social significance of the unborn, it is important to appreciate that the unborn is seen as a link between parents, families and communities.

The Hindu tradition teaches that each human being has a duty towards the upliftment of the

community. This is clearly the basis of sadharanadharma (doing for the common good). One of the important social duties of Hindus is to ensure the survival of societies by procreating. “Man is indebted to his community and therefore he sacrifices; but even more so he is culturally and experientially indebted to humanity and must therefore serve the universal good.” (Crawford, 1999 p12) The motivation for sadharanadharma is two fold, *the sacredness of life and gratitude for life*. “The unity of man is deemed deeper than his diversity. Out of this unity the sense of sacredness is born. We are not brahmacharins or brahmins, not sannyasins or shudras who happen to be people, but people who happen to occupy the particular station or that particular caste, both of which are relative and changing.” (Sivananda, 1997 p12) In asserting that the sacredness of life is the motivation of sadharanadharma, human beings are adjured to vigorously uphold this value at all times; abortion being no exception. Furthermore, the social responsibilities of human beings have been discussed in detail when the importance of progeny was considered earlier in this chapter.

In fact, from the Advaita perspective, the attainment of spiritual freedom involves the gaining of knowledge revealing the essential unity of all life. Spiritual freedom (moksha) is synonymous with the overcoming of narrow selfish interests. In terms of human relationships, the consequence of the Advaita vision can only be that I treat all beings as I would treat myself. The general obligation of each human being is to consider the interest and welfare of every human as his or her own. Love for life in all its diversity and variety is the spontaneous attitude of this Advaita outlook of unity and identity. (Rambachan, 1985 p21)

This essential unity of all life includes the unborn. In fact the unborn is a vital link that sustains this unity.

The householder is seen as central to the social system of Hindus as it is the householder in acquiring offspring: “Now the self (the householder) is verily the support of all beings. It is by offering libation in the fire and performing sacrifices that he becomes the support of gods. By reciting the Vedas he acts as support to the sages. By making offerings to the manes and desiring offspring he is a support of the manes. By lodging men and giving support to them he becomes a support of men. By providing fodder and water for animals he becomes their support.” (Madhavananda, 1979 p72) This essential unity that exists in the whole of creation is central to the social system of the Hindus and



the unborn forms the basis for the existence and perpetuation of this system.

While there was a great emphasis placed on acquiring of progeny, there are also precepts to be followed as outlined by Crawford: "In Hindu ethics, that which distinguishes civilization from the jungle is man's capacity to control nature, including his own. Sexual restraint is the infrastructure of the ashrama scheme in which procreation is limited to the householder stage. It is also the rationale for sanctions against sexual intercourse on a number of auspicious days and seasons." (Crawford, 1999 p19) Celibacy or self-control is one of the cardinal values in Hinduism. The basis of the ashrama dharma system is control; doing what is supposed to be done at a particular stage of life; being a celibate student first, then a householder, then gradually withdrawing from the humdrum of life and finally being a renunciate. Great emphasis is placed on when to have children as this is a very important milestone not only for the family, but also for the community. While progeny ensures the survival of the society, promiscuity leads to its destruction as it goes against the very essence of the Hindu social system or the Ashrama Dharma system. The unborn when conceived within the precepts of this system ensures the healthy survival of communities.

In the Hindu tradition, marriage

is not so much concession to human weakness as a means of spiritual growth. It is prescribed for the sake of the development of personality as well as the continuance of the family ideal. Marriage has this social side. Every family is a partnership between the living and the dead. The Shradda ceremony is intended to impress the idea of family solidarity on the members. At the end of the ceremony the performer asks, "Let me, O fathers! have a hero for a son" (Sivananda, 1997 p84).

The unborn is the vital socio-spiritual link between the past, the present and the future and is therefore to be protected and revered.

#### 5.3.4 The Time of Conception and its implications for Abortion

For the Hindu tradition, it is clear that life begins at conception as indicated by Charaka: “When a man with unimpaired sperm and a woman with unafflicted genital tract, ovum and uterine bed, cohabit during the period of fertilization, the jiva (soul) along with mind descends into the zygote (combined form of the sperm and ovum) lodged inside the uterus” (Sharma, 1981 p419) “According to Charaka’s account, conception takes place in the womb by the union of semen and ovum and when the soul, along with the mind, enters the zygote”, all this happens at the same time. (Crawford, 1999 p26) The Vedanta Sutra also supports the same view: “The soul enters in conjunction with one who performs the act of generation ... Then, subsequently the soul having been in conjunction with a person of generative powers, generation takes place and a body is produced in which the soul can enjoy ...” (Muller, 1962 p132) This view is also expressed in the Matsya Purana when Astita asks Yayati: “Does the soul present itself in the womb with the help of other bodies or of its own accord?” Yayati responds: “At the time of conception, the air draws the semen virile up, from the inside, after which it magnifies itself there and it develops into the embryo.” (A Taluqdar of Oudh, 1980 p105). The combined semen and ovum (Sukra and Sonita) in the womb *with the self (atma)* is called the zygote that then develops into the embryo. (Bhashigratna, 1991 vol 2 p157) The self (atma) enters at conception. *It is therefore clear that life begins at conception.* As life is sacrosanct for the Hindu, abortion is taboo. Furthermore, there is no scope to argue that abortion is acceptable after any period of gestation as for the Hindu, life begins at conception; any termination of life after conception is murder.

#### 5.3.5 Does Hinduism allow Abortion in Special Circumstances?

There is scope within the Hindu tradition to allow abortion in very special and specified circumstances that include rape, incest, life threatening congenital abnormality in the foetus and where the continued pregnancy poses a serious threat to the life of the mother. The Hindu tradition places great emphasis on *daya* (compassion). The Bhagavad Gita teaches that: “He who hates no creature, who is friendly and compassionate to all, who is free from attachment and egoism, balanced in pleasure and pain, and forgiving...is dear to me”. (Sivananda, 1983 pp149-50) It is incumbent on every Hindu to show compassion. In the circumstances detailed above, while the Hindu tradition is vehemently opposed to abortion, the principle of *daya* dictates that abortion should be sanctioned.

While, even in these circumstances, the Hindu argument against abortion is equally applicable, the primary motivation for allowing abortion in these circumstances is compassion. The compassion shown to the mother who is faced with the daunting trials above is a fair and just Hindu response. One may even argue that if one can justify with conviction and honesty that an abortion should be performed for compassionate reasons - in the interest of the mother, then, there is place within the Hindu tradition to sanction such an act. This kind of decision is a loaded one and it is always made from the standpoint that murder is being justified. As allowing an abortion is a deviation from the ideal (which is to preserve the life of the foetus), the fundamental issue to be considered is whether the circumstances necessitating an abortion justify the killing of the foetus. Essentially, if allowing the pregnancy to continue is cruel (as in the circumstances detailed above), the principle of *daya* can be invoked to allow for an abortion.

It may further be argued that the manner of conception, especially in the case of rape and incest, goes against all the *samskaras* and the very atmosphere that conception should ideally take place and therefore it is possible to justify abortion in these cases. When one considers that the continued pregnancy may be endangering the life of the mother, precedence is given to the mother not because the mother is viewed from a spiritual standpoint as being more important but it is the mother who has a socially more responsible role and the mother will still be capable of carrying out her all-important duty of having further children if her life is saved.

The essence of *daya* (compassion) is complex in practical determination and application. For that matter, should one contend that abortion is justifiable because the parents suffer abject poverty and therefore that abortion should be permitted on compassionate grounds showing these poverty stricken parents *daya*.

Another situation that may be considered to warrant *daya* is when the mother threatens suicide because she is not allowed an abortion. *Daya* is then brought into this situation. Should the mother be allowed an abortion on the grounds of *daya*?

In both the above instances, the abortion being sought is an attempt to justify murder, destruction of life/foetus. Imagine contending that murder was justified as the parent could not afford the child or that the parent did not want the child! *Daya* will not be applicable in these particular instances.

#### 5.4 Concluding Remarks

It is patently clear from the above discussion that classical Hinduism is opposed to abortion. The arguments from a Hindu perspective vary from the broader general teachings of the Hindu tradition to more specific and direct condemnation of abortion. The Hindu argument, it may be concluded, is a comprehensive argument with many different standpoints indicating that abortion is not compatible with Hindu teachings.

## CHAPTER SIX: CONCLUSIONS AND RECOMMENDATIONS

This study entitled “Hinduism and Abortion - A Traditional View” is undertaken to arrive at what the *traditional* Hindu perspective is on abortion. In the arena of the fierce debate on the contemporary issue of abortion, it is relevant to consider what an ancient tradition, Hinduism, has to contribute. The abortion debate is primarily divided into two opposing views: broadly described as the pro-choice and pro-life view. The pro-choice view centres largely on the significance of the woman while the pro-life view emphasizes the sacrosanctity of human life. Hinduism, while considering the rights of the mother and the sacrosanctity of the foetus broadens the issue of abortion to include cosmic, social and other spiritual implications of abortion. It is hoped that Hinduism will contribute to a more universally accepted view on abortion. It is hoped that, through such debate, a more universally acceptable viewpoint will be arrived at. (Furthermore, even if that is not possible, at the very least, it is hoped that the decision to conceive will be taken with considerable circumspection in view of the fact that conception is seen as a spiritual act. This will undoubtedly prevent the escalating number of abortions being carried out. In the case where people do opt for abortion, it is hoped that the spiritual implications and ramifications of such a decision are evaluated seriously.)

The pro-choice argument hinges largely on the fact that the mother has autonomy with regard to her own body and as the foetus is in her body, she has the right to decide the fate of the foetus. The right to decide for the foetus is seen as equal and synonymous with her right to decide what she could do with her body. The foetus is seen as a mere extension of the mother's body and just as she owns her appendix and her tonsil, she owns the foetus. The foetus becomes as expendable as her appendix or her tonsil. However, the classical Hindu view is that the foetus does not belong to the mother. The foetus is a cosmo-spiritual reality contributed to and owing its existence not just to the mother and father but to the cosmos and God. In this context, the mother is seen as being entrusted with the foetus for its protection and care. The foetus is contributed to by the father, the mother, the atman and the cosmos. The mother, therefore, cannot claim ownership of the foetus and therefore cannot appropriate the absolute right to decide on the fate of the foetus. This philosophical view that the foetus is a bio-psycho-socio-cosmic and spiritual being gains practical expression in the Hindu *samskaras* or sacraments, and reemphasize that the mother, alone, cannot claim ownership of the foetus. Therefore, from a classical Hindu perspective, no single person can appropriate the decision to have a foetus aborted. The traditional Hindu perspective places the abortion debate beyond the

level of individual ethics alone. Confining the debate to individual ethics is short-sighted and inadequate. Classical Hinduism makes a very strong argument for the abortion debate to be handled holistically. A holistic approach to the abortion debate is imperative if one is to make ethically correct decisions.

The Hindu tradition emphasizes the Purushartas and as such abortion is unacceptable as it goes against the very gain of dharma. Dharma is the yardstick by which all actions are adjudged to be ethical. A spiritually successful life means a dharmic life. Abortion in being adharmic is strongly censured. The Hindu tradition emphasizes that dharma should always triumph over adharma; abortion seems to represent the triumph of adharma over dharma. Living a dharmic life is not simply a personal matter; dharma has social, cosmic and spiritual implications. By implication, therefore, adharma too has similar ramifications. Abortion, belonging to the realm of adharma, has to be considered not only on the basis of the effects it has on the individual; as dharma is a cosmic law, the implications of abortion for the cosmos have to be emphasized. This cosmic view is a valuable contribution that Hinduism makes to the abortion debate as the implications of the act of abortion go beyond the individual. Abortion is an act with cosmic implications as well.

In considering the Purushartas further, Hinduism has very specific injunctions with regard to kama (pleasure). These injunctions elevate the sexual act from the level of only frivolous pleasure to being a deeply spiritual act. Viewing the sexual act as a spiritual act should engender respect for the sexual act as compared to the more frivolous view that is often seen in present times. Out of this reverence, it is hoped that people, and more especially teenagers, will tread with greater responsibility in their sexual relationships and as such the number of unwanted and teenage pregnancies should decrease. This sense of responsibility is the clarion call in the fight against the AIDS pandemic and it is essential that this alternate view be popularised for the benefit of mankind. Furthermore, at the very least, it is hoped that the decision to conceive will be taken with considerable circumspection in view of the fact that conception is seen as a spiritual act. This will undoubtedly prevent the escalating number of abortions being carried out. In the case where people do opt for abortion, it is hoped that the spiritual implications and ramifications of such a decision are evaluated seriously.

Much of the abortion debates centres around the issue of whether the foetus is a person. The classical Hindu view is that the foetus is able to think, feel and rationalize. The foetus is a sentient

being and as such is a person. The foetus, therefore, should enjoy the same rights as any other person and as such, abortion is a violation of the rights of the foetus. In fact, the foetus is seen as another stage in the journey of the soul of a previous adult in its search for salvation. In classical Hinduism, the foetus is seen as a person with rights. These rights are only secondary to the rights of the mother in exceptional circumstances, for example, rape, incest, congenital abnormality in the child and where the continued pregnancy is life-threatening for the mother. The unborn is not seen as belonging to the mother or father but rather as being begotten by them and therefore, any argument that presupposes that the foetus belongs to the parents and therefore, curbs the rights of the foetus is unacceptable.

Hindus, from early times had a very sophisticated understanding of human embryology and reproduction. This understanding was not limited to the physical development of the foetus but included the spiritual development as well. The keen interest shown in human conception and embryology underlined the importance Hindus place on the foetus. The inference drawn that the Hindus considered the foetus as very important is borne out by many anecdotal and implicit spiritual injunctions. Furthermore, the foetus forms a vital link in the chain of lives (samsara) of the jivatma in its quest for self-realization. The unborn is seen as a spiritual being as its true nature is not just its physical body, but the essential or atman.

Hindus believe that the human person is made up of the soul (jivatma), the physical body and the subtle body (or sukshma sarira). The foetus has the jivatma (the most significant aspect), the sukshma sarira (subtle body) and the potential for a full physical body. Many debates on the issue of abortion acknowledge only the physical body whereas the subtle and spiritual “body” are not considered. This, more inclusive, view of the human person is a significant contribution that Hinduism offers to the debate on abortion. Abortion does not only affect the physical body, it affects the subtle body and the jivatma.

The question of when life begins is widely debated as it has specific implications for the question of abortion. The classical Hindu view is that life begins at conception and as life begins at conception, abortion may be equated to murder. The foetus, *ab-initio*, is a living being. Should abortion be likened to murder, then it must be deplored with the vigour it demands. Murder cannot be condoned and reasons vouchsafed to justify murder are in the main, fallacious and unacceptable

to normative reasoning. Murder militates against the Hindu tenet of ahimsa. It also goes against the Vedic injunction; *himsan na kuryat* (though shalt not kill).

Karma, rebirth and reincarnation provide a pivotal argument against abortion. Abortion is seen as an evil act and therefore the result of such action can only be evil. The impact of abortion weighs heavily on the parents, the performer of the abortion and the unborn. The effects of abortion impact not only on the present but has implications for the future lives of the unborn, the parents and the performer of the abortion. While the present day debate is largely centred on the present, the future effects of the abortion have to be considered. Furthermore, in terms of rebirth and reincarnation, the foetus is seen as a very highly evolved soul as it is manifested in the human form. Abortion interrupts the jivatma's quest for self-realization; abortion prevents the unborn from achieving its one-ness with God. This makes abortion a particularly sinful act. Within the context of reincarnation, human birth is seen as a means to ending the cycle of births and deaths; abortion necessitates the need for an additional birth in this cycle. In expressing the wide ranging effects of the act of abortion on the performer of the abortion, the mother having the abortion and on the foetus and in emphasizing the lasting effects on each one of these, Hinduism contributes a valuable perspective on the whole issue of abortion.

Ahimsa is one of the most important tenets of Hinduism. Violence against any person is violence against God. Abortion represents a form of violence against God. Abortion represents a form of violence not only against the foetus but against God. Abortion also represents a rejection of the gift of life. This rejection of the gift of life represents a decrease in the value for life; a decrease in the value for life reduces man from the human level to the level of the animal. This decrease in the value for life has profound social and spiritual implications. When the value for life decreases, the solvent binding human beings together weakens and communities become exposed to disintegration and death. Furthermore, Hinduism emphasizes the concept of samskara; abortion being an evil act contributes to an evil disposition in the performers of the act. This may lead to moral decay and the disintegration of families and communities.

Hinduism emphasizes that all living beings have a soul (jivatma). This soul is equal in all living beings. The soul in the foetus is the same as in the adult. This view necessitates that the foetus should be treated with dignity as it has intrinsic value. This leads one to infer that the murder of a



human being is condemned by society. In the same vein it must be agreed that destruction of the foetus is tantamount to murder. This view is fortified when one considers that many Hindu scriptures advise that the birth of the foetus is the second birth of the father. The Hindu view of the foetus refutes the idea that murder can be justified at any age group, let alone the foetus.

Progeny is seen as very central to the spiritual progress of the parents. The spiritual and social value of progeny have been extensively discussed. This view has to be emphasized and drawn into the argument on abortion. Abortion, therefore, has spiritual, cosmic and social implications; again placing the debate beyond the realm of individual ethics. The need of the day is a more comprehensive approach to the question of abortion and Hinduism provides several insights to be used in the debate.

Hinduism teaches non-attachment to the fruit of action. Abortion represents a deep form of attachment to the fruits of the act. Abortion can therefore be classified as *kamya karma*. *Kamya karma* is not the ideal as it makes a man the slave of passion and in essence amoral. Abortion tends towards the amoral and takes the human being further away from his Divine nature.

In discussing the Hindu world view, it is clear that man is a bio-psycho-socio-cosmological and spiritual being. These characteristics are applicable to the foetus as well. If the rights of man are motivated on the basis of these characteristics, then it is logical that these rights have to be extended to the foetus as well. In asserting that man is a cosmic being, Hinduism infers that ownership of the foetus goes way beyond just the parents of the foetus; therefore, abortion has cosmic implications.

In the Ashrama Dharma system, Hindus are encouraged to proceed through a structured system as they progress towards *moksha* (or liberation). In this system, the Brahmacharya stage emphasizes celibacy which in turn has a direct impact on abortion - especially when pregnancy occurs out of wedlock and the mother then chooses to abort the foetus. Furthermore, in the Grihastha Ashrama, the duties of both parents are clearly spelt out. This is the only ashrama that allows for procreation and that too in the spirit of being fully committed to the welfare of the unborn. There is a divine obligation for the Grihasthi to procreate and frivolous sexual activity is censured. In this Ashrama, sexual union is deemed circumscribed by religious rituals and practices and is to be conducted with the specific objective of procreation: therefore, making the question of abortion untenable. The

Hindu Samskaras clearly indicate that the foetus is a Divine gift and is worthy of protection and reverence.

In considering the Hindu view of the unborn, it is clear that the unborn is a Divine entity - it is sacrosanct. The unborn is a person. Hindus have a very sophisticated understanding of embryology and human reproduction even from very early times, clearly indicating the importance of the unborn for Hindus. The unborn is supposed to be protected, as evidenced by anecdotal and implicit spiritual injunctions, as it forms a vital link in the chain of lives (*samsara*) of the *jivatma* in its quest for self-realization. The unborn is seen as a spiritual being as its true nature is not just its physical body but the essential self or *atma*.

While this dissertation has concentrated on the traditional Hindu view on abortion, it is important that further research be undertaken to consider whether the demands of the modern day will demand a different - more modern - approach to the question of abortion. Is it necessary to change our *Smritis* or perhaps, certain ideas in the *Smritis*, to accommodate the demands of the modern day?

Finally, while abortion is dichotomized fundamentally between the pro-choice and pro-life arguments, it is quite apparent that the classical Hindu view is a pro-life view. It will be interesting to consider, in some depth, the rights of the mother as compared to the rights of the unborn. There are various questions to be explored: Is the modern concept of the empowerment of women by the protection of their feminist rights compatible with the Hindu world view? In the context of the Hindu marriage which is seen as a partnership, is it acceptable to allow a lady to have an abortion as this is an expression of her feminist right whilst disregarding the rights of the unborn child and the father? Is the empowerment of women based solely on the concept of rights compatible with the Hindu view that women are empowered not by virtue of their rights but by virtue of their intrinsic dignity, acceptable?

In summary, therefore, the traditional Hindu view on abortion is that it is strongly censured (except in certain very special circumstances as explained in section 5.3.5 - page 151). This view is substantiated by both the *Smriti* and *Shruti* texts. The Hindu scriptures articulate a comprehensive and multifaceted argument against abortion. The traditional Hindu view, as detailed in this study, can make a valuable contribution to the alleviation of many contemporary problems, for example,

teenage pregnancies, increasing demands for abortion, sexually transmitted diseases, the rapidly diminishing respect for the sexual act and the AIDS pandemic. Further research in this regard is therefore recommended.

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