Right to Life of an Unborn: 
Practice of Abortion in South Korea from a Buddhist Standpoint

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Introduction

Intentionally ending the life or development of a fœtus is called: abortion. Spontaneous abortion and induced abortion are two types, where spontaneous refers to a miscarriage, and induced abortion is a procedure performed by a licensed physician when there is a possibility of danger to the life of the mother. Buddhist tradition rejects the practice of abortion; it believes abortion is the deliberate destruction of an innocent human life.

Buddhism was introduced in Korea103 from China in the late 4th century AD when monk Sundo arrived under the order of the former King of Chin of China (Tedesco 1999, 124). 104 Buddhism combined with the indigenous Shamanism 105 (Duc 1997) before emerging on a larger platform. In late 14th century Confucianism replaced this tradition. Presently, Buddhism in Korea is the second largest religion after Christianity. In the year of 2010 religious statistics estimates that 22.9% of the population are Buddhist, 29.4% are Christians; both Catholics and Protestants, and 46.4% population of South Korea did not claim any religion.106

An estimate shows about three hundred forty thousand (340,000) abortions are being done each year, although one parliamentarian suggested that there may be as many as 1.5 million abortions performed each year in South Korea.107 Abortion in South Korea is technically illegal, except under a certain circumstances: to save the life of the mother, in an instance of rape or incest, foetal impairment, or other socio-economic reasons. It has been shown that “Korea’s birth rate is the second lowest in the world: 1.19 births per woman and some Korean researcher’s fear that their very survival as a nation is in doubt6”, because of the ongoing unethical practices of abortion. The practice of abortion has been studied only for family planning policy and population control, is not sufficient.

Buddhist tradition does not have any central authority to provide guidelines to solve problems in moral dilemmas of abortion. No international organizations or colleges for medical practitioners, serve to formulate policies for healthcare professionals. However, in Buddhism there are certain basic moral values that are virtually accepted by all schools and sects. One may engage here to justify practices of ‘abortion’ or ‘no-abortion’; but the debate on abortion from the perspective of Buddhism would remain incomplete if we do not highlight its relevance to contemporary Korean society - therefore, the need exists to reinterpret central moral values to deal with new bioethical challenges.

103 At that time the Korea was divided into three kingdoms: Koguryo, Paekje and Shilla.
105 Shamanism is the ancient religion of animism and nature-spirit worship. It is based on the belief that human beings as well as natural forces and inanimate objects all possess spirits.
106 Online Source; Cited 17 June 2015 Available from: http://www.globalreligiousfutures.org/explorer/customi/?subtopic=15&countries=South%20Korea&chartType=bar&data_type=number&year=2010&religious_affiliation=all&age group=all&pdfMode=false
There are textual evidences on the availability of this practice which highlights need to bridge the gap between the moral virtues of Buddhist traditions and contemporary bioethical problems. Buddhism considers abortion as an intentional killing, its practice is prohibited and a highly punishable offence. Practice of this directly goes against the paramount virtue ‘ahimsa’. Despite all these religious impositions, the practice of abortion is highly prevalent in South Korea possibly due to transformations of old mind-set towards a progressive secularism.

**Abortion and Buddhist Texts**

*Gabbhapatana* (gabbha means womb and patana means bringing to fall) is denoted for abortion in Pali language. In the Buddhist literatures, abortion understood as an intentional killing of an embryo or fetus. It rejects the practice of abortion because it believes that abortion is a deliberate destruction of life and practice of this directly goes against the Buddhist principle ahimsa.\(^{108}\) Ahimsa does not approve killing. It avoids killing of a living being. One should not kill a living being, nor cause it to be killed, nor should he incite another to kill. Do not injure any being, either strong or weak (*Suttanipata*, II: 14; cited in Sebastian 2005, 228).\(^{109}\) In *Mahakhandhaka* of the *Mahavagga*, instructions are given for monks and nuns “An ordained monk should not intentionally deprive a living thing of life, even if it is only an ant. A monk who deliberately deprives a human being of life, even to the extent of causing an abortion, he becomes no longer a follower of the Buddha. As a flat stone, broken apart is something which cannot be put back together again, so a monk who has deliberately deprived a human being of life is no longer a follower of the Buddha. This is something not to be done by you as long as life lasts…”, (*VinayaPitaka* I: 97; cited in Keown 1995, 93).\(^{110}\) The elimination from the Sangha was cited a punishment for the monks and the nuns for advocating abortion. The *Petavatthu* says “… my husband was angry and married another wife, and when she became with child, I medicated evil against her. …I, with mind corrupted, caused the fall of her unborn child. This fell in the third month, foul and bloody.” (*Petavatthu*, 1.7; cited in McDermott 1999, 160).\(^{111}\) Rivals between co-wives were primarily cause to have abortion during the time of Buddha. Few stories are cited in *Jatakas*, which says “the queen of king Bimbisara, resorted to having her womb massaged and heated by steam in order to cause the death of the unborn child.” This shows the prevalent method for abortion practices. From the above cited references one may articulate that abortion in the canonical texts mentioned as a karmic retributions.\(^{112}\) Samkicca *Jataka* says that, those who oppress the weak and those who are guilty of abortion are reborn in the great Buddhist hell; *Mahaniraya* there flows a great caustic river known as Vetarani\(^{113}\) and one can not escape from its cutting water.\(^{114}\) This *Jataka* refers to the karmic punishment of abortion and the seriousness of act as an offense. Apart from this it says that the early Buddhism shows the reason for seeking

\(^{108}\) The word Ahimsa comes from the desiderative form of the Sanskrit verb root ‘han’ with the negative prefix ‘a’ and its means non-killing. Though it sounds negative, Ahimsa has a positive meaning. It means positive love in the form of Karuna and maitri towards all being (See footnote of Sebastian 2005, 228).


\(^{112}\) Keown (Honolulu: University of Hawaii’s Press, 1999), 157-182.

abortion was extrametrical affairs, preventing inheritances and domestic rivalry between co-wives etc. However in the contemporary Korean society, practice of abortion is increasing by the willingness of the doer and the seeker.

When Does Life Begin?

For the last few decades, ‘the question when does an individual life begin?’ has been the central issues of abortion debate. It is questionable to decide the point from where a thing is called a person and from where it is not a person. Different traditions and present scientific research describe it in their own way. The Buddhist tradition says human life begins when the fertilized egg is conceived in the mother’s womb, i.e., human life starts at conception.116 “Monks, it is at the conjunction of three things that there occurs the descent of an intermediate-being into the womb. If the parents come together in union, but it is not the mother’s proper season, and the intermediate being is not present, then there will be no conception. If the parents come together in union and it is the mother’s proper season, but the intermediate being is not present there will be no conception. But when the parents come together in unison, it is the mother’s proper season and the intermediate being is present, then on the conjunction of these three things the descent of an intermediate being will take place. Then monks, the mother for nine or ten months carry the fetus in her womb with great concern for her heavy burden.” 117 The Mahatanhasankhaya-sutta says the process of fetal development and the cause and conditions are (i) intercourse must take place (union of sperm and egg) (ii) the mother’s fertile period and (iii) arrival of consciousness (gandhabba). “Human being means: from the mind’s first arising, from the time of consciousness becoming first manifest in a mother’s womb until the time of death, here meanwhile he/she is called a human being.” (Vinaya Pitaka, III, 73; cited in Damian 2010, 131).118 Hence Buddhism regards embryo as a human person from the very moment of conception, therefore abortion is considered as the termination of innocent human life.

Buddhism advocates a pro-life position on abortion. It argues that practice of abortion cannot be morally justified, because: it is a wrong deed. Life starts at the moment of conception and therefore destroying an early life is equal to destroying the life of a mature an individual being. Pro-life acknowledges that, destroying an early human life is morally wrong. Buddhism opposes the practice of abortion on the basis of moral conduct ‘ahimsa’. The word ahimsa means non-killing or not-destroying life. Mahatma Gandhi, an exponent of ahimsa, was in love and compassion for all.119 Despite the principle of ‘ahimsa’, the teaching of Karma also makes abortion equally unacceptable. Karma, the action; tis concerned with ethical implications of Buddha’s teachings and denotes the consequences of moral behavior.120 Buddhism have the five precepts (pancasila), the eight precepts (astangasila), the ten precepts (dasasila), the ten good paths of action (dasakusalakarmapatha) and the monastic code (pratimoksa) as main sets of precepts.121 Breaking these precepts may cause an unfavorable rebirth. Buddhist tradition argues that

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117 Majhima Nikaya, i. 236
121 Ibid
human fetus is an innocent and therefore it is wrong to kill a fetus. It is the central argument of pro-life position of abortion. Therefore, practice of abortion is an intolerable act.

Practice of Abortion in South Korea

Everyone has the right to life, liberty and security.¹²² You have the right to live, and to live in freedom and safety.²² This right shall be protected by law. No one shall be arbitrarily deprived from his life.¹²³ Both the declarations show that, the right to life is inherent in a person. To save the life of a woman, to preserve a woman’s health both physical and mental, in case of rape or incest, case of fetal impairment, for economic and social reasons, and on these seven grounds on which abortion is distinguished are permitted in the United Nations declaration, particularly in the world abortion policy 2013.¹²⁴ In the declaration of Geneva 1948, which was adopted by the world medical association, states that ‘I will maintain the utmost respect for human life, from the time of conception’.¹²³ In the light of this description we can make an attempt to understand abortion as a method to preserve life rather than a method to destroy life.

Korea was the third country after Pakistan (1953) and India (1958) to adopt an explicit population control policy in 1961.¹²⁶ The government was convinced that without a proper population control policy it would be impossible to achieve economic development within a short period of time.¹²⁷ In fact, from the early 1960s to the late 1990s, the Korean government encouraged women to get abortions to prevent overpopulation; however, at present the authority no longer encourages abortions nor enforces the abortion laws.¹²⁸ A program was adopted by South Korea in 1961 to reduce the average number of child births per family and now it observes that the present birthrate in South Korea is the second lowest in the world (1.19 births per woman). Abortion is illegal under Korean criminal code 1953, except in certain compassionate circumstances. The Maternal and Child Health Law passed in 1973, set out conditions in which abortion could be performed¹²⁹, within 28 weeks of pregnancy ‘to save the life of mother’, ‘to preserve both physical and mental health’, ‘in case of rape or incest’, ‘in the case of fetal impairment’, etc.¹³⁰ There are certain punishments for illegal abortions in Korea. If a woman did not qualify for one of the listed conditions, the punishment for undergoing an abortion is up to a year in prison and two million Won fines. A doctor who performed an abortion in the absence of the above conditions could be punished up to two years in prison, if there was no injury to the woman operated on. If the woman gets injured during abortion, the doctor may get imprisoned for three years. If the woman dies the doctor could be jailed up to five years. Furthermore, the doctor can lose his or her medical license.

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¹²⁷ Ibid
¹³⁰ Kang, Jane. [Online October 14, 2013], (Cited, 21 July 2014 “To Abort or Not to Abort: That is the question in South Korea,” Voice in Bioethics Leave a comment, Available from: http://voicesinbioethics.org/2013/10/14/
for up to seven years for performing an abortion\textsuperscript{131}; however, abortion is easily accessible in South Korea despite the legal prohibition, because a large number of physicians are willing to perform and officially reluctant to enforce the law.\textsuperscript{132} Korea has been called an ‘abortion paradise’ by some social activists and researchers and rampant abortion seems to have become a part of the accepted cultural pattern of Korea.\textsuperscript{133} In 2009, the abortion law was revised and the deadline for a legal abortion is changed from 28 weeks to 24 weeks,\textsuperscript{134} and abortion is prohibited under all circumstances after 24 weeks. Despite all these facts practice of abortion is very prevalent in South Korea. The reasons for the practices of abortion in Korea are many and complex. Lack of societal acceptance of effective contraception; Korean women use the coitus interruptus or the rhythm methods for birth control, which are generally less effective than condoms or hormonal treatment. Birth control pills have not yet achieve significant market exposure and are highly mistrusted by Koreans. The Koran Institute of Criminology conducted a survey in 1990 and acknowledged that ‘abortion rates among Buddhists are as high as the rest of the population of South Korea.\textsuperscript{135} Again, abortion is tantamount to killing which is against the teaching of Buddha in the very first precept.

**Buddhist understanding of Abortion**

Buddhism has pro-life position on abortion. Despite this, today we have a pro-choice position due to lack of knowledge. This position mainly flourished in the western countries and from the last four decades pro-choice position becomes very popular with the rise of feminist movements by Judith Jarvis Thomson, who claims that the fetus is an innocent human being and a woman has a right to choose what happens to her body.\textsuperscript{136} Supporters of pro-choice activists believe that, women should have the right to choose whether to carry a baby or not, includes the right to end an unwanted pregnancy.\textsuperscript{137} They advocate that an unborn human being has a right to life, but this right does not entail that the child in the uterus is morally entitled to the use of the mother’s body.\textsuperscript{138} In Buddhist canonical works it is cited that an individual life starts at the very first moment of conception, where human body gradually develops along with consciousness; therefore, one is not entitled to take unborn human life.

The practice of abortion is dominant among the Buddhists and prevalent in the entire Korean society in general; for example, the *Mizuko K\text{\-}kiyo* or fetus memorial service for both spontaneous and induced abortion is widespread in Japan. Similar practice, *yingling gongyang* is found in contemporary Taiwan and China. In South Korea practices, sex-selective abortion is very common. Practicing abortion is illegal in Korea, China, and Taiwan, except in Japan. To deal with such moral dilemmas of pro-life and pro-choice, one may interpret the *Kalamasutta or Kesamuttisutta or Kesaputtiyasutta* to describe nature of moral actions. The Kalamas were confused as to which doctrine to accept and

\begin{itemize}
\item \textsuperscript{132} Kang, Jane. [Online October 14, 2013], (Cited, 21 July 2014 “To Abort or Not to Abort: That is the question in South Korea,” Voice in Bioethics Leave a comment, Available from: \url{http://voicesinbioethics.org/2013/10/14/}.
\item \textsuperscript{133} Tedesco Frank, “Abortion in Korea.” Buddhism and Abortion, ed. Keown, (Honolulu: University of Hawai’i Press, 1999), 121-156.
\item \textsuperscript{134} Kang, Jane. [Online October 14, 2013], (Cited, 21 July 2014 “To Abort or Not to Abort: That is the question in South Korea,” Voice in Bioethics Leave a comment, Available from: \url{http://voicesinbioethics.org/2013/10/14/}.
\item \textsuperscript{135} Tedesco Frank, “Abortion in Korea.” Buddhism and Abortion, ed. Keown, (Honolulu: University of Hawai’i Press, 1999), 121-156.
\item \textsuperscript{137} Sandra M. Alters, Abortion an Eternal Social and Moral Issue: Information Series on Current Issues (Taxes: Information Plus, 2012), 1.
\end{itemize}
Buddha says, “O Kalamas, do not accept anything on mere hearsay (anussava). Do not accept anything by mere tradition (parampara). Do not accept anything on account of rumours (itikira). Do not accept anything just because it accords with your scriptures (piṭaka-sampadana). Do not accept anything by mere tradition (parampara). Do not accept anything by mere inference (takkahetu). Do not accept anything merely considering the appearances (akaraparivitakka). Do not accept anything merely because it agrees with your preconceived notions (ditthinijjhanakkhanti). Do not accept anything merely because it seems acceptable (bhabba-rupa). Do not accept anything thinking that the ascetic is respected by us (samano me guru). But when you know for yourselves these things are immoral (akusala), these things are blameworthy (savajja), these things are censured by the wise (vinnu-garahita), these things when performed (samatta) and undertaken (samadinna), conduce to ruin (ahita) and sorrow (dukkha) then indeed you reject them. When you know for yourselves these things are moral (kusala), these things are blameless (anavajja), these things are praised by the wise (vinnuppasattha), these things when performed and undertaken, conduce to well-being (hita) and happiness (sukha) then do you live and act accordingly.”

It is not clear though, how can one know if something is moral or immoral? Buddha says, when in a moral dilemma, we should decide by ourselves. Everyone has got a basic moral intuition or the capacity to know what is good and what is bad. More clearly what is conducive to ruin (ahita) and sorrow (dukkha) is bad and what is conducive to well-being (hita) and happiness (sukha) is good. While following the basis precepts of moral conduct, one may indulge in the practice of abortion where there is an intention to achieve the best outcome, when in cases of: ‘to save the mother life’, ‘rape and incest’, ‘fetal impairment’, etc., as previously mentioned. In the case of rape, there is high possibility of pregnancy without her will and this will be the catalyst for the cause of physical/mental sufferings. To remove the mental and physical trauma one can induce an abortion. If the mother’s life is in danger by the pregnancy, one should prescribe abortion. Hence, in moral dilemmas, pertaining to abortion practices, one should follow [rationally, reflecting back upon the Kalama Sutta] the Buddhist middle-way to justify it.

**Conclusion**

Abortion is permitted in South Korea, during the seven instances mentioned above, as ethically and socially acceptable; but the prevalent practice of abortion is illegal if it is done for personal gain. ‘With abortion, you are aborting the future’, is sensible as the present abortion practice slogan, in South Korea. In central Buddhist philosophy, the practice of abortion is wrong; but, abortion may be justified on the basis of compassion when there is the motivation to save the mother’s life. Government and non-governmental anti-abortion organizations are formed on the objective to end all abortions, except for those that are needed to save the mother’s life. Abortion may be allowed where the intention is compassionate and the act achieves the best outcome for all concerned. Keown, Harvey and the Dalai Lama advocate that abortion is prohibited in the classical textual view, but should be allowed by modern-law, on the ground of compassion.

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