

Citizen initiative *versus* decriminalization of abortion

Iniciativa ciudadana *versus* despenalización del aborto

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Abstract

The decriminalization of abortion based on a reductionist current of thought favors the destruction of embryos, producing permanent health consequences and even the loss of the mother's life. This article analyzes the knowledge of the inhabitants of Aguascalientes, Mexico, about the decriminalization of abortion and its effects on the mother, in support of the initiative of the Political Constitution of that State. The methodology is quantitative, non-experimental, transactional and descriptive-explanatory. The findings affirm that the beginning of human life is gestated at fertilization,

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the unborn child is subject to rights equivalent to a born human being and its life should be protected, denying abortion because it refutes the right to life.

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1. Introduction

When one tries to establish the ontological status of the human embryo, one tends to make two serious mistakes: on the one hand, starting from excessively dogmatic presuppositions and, on the other hand, from clearly post-materialistic ideologies. In order not to fall into this polarization, the present research is based exclusively on what science says about the beginning of human life. This important question is approached from the field of biology itself and, of course, from the anthropological side, which also has much to say in this regard, since it is not a question of raising the issue from a merely biologicistic reading, but it is human reason that also offers solid arguments that add to these. When it is stated that the human embryo is a person, it goes beyond what science can say and becomes a philosophical approach, but one of enormous legislative and moral significance.

Initially, one thinks of the paradox that has settled in the heart of Western society. On the one hand, there are innumerable laws that defend human life and are included in the Universal Declaration of Human Rights (1948) (1), which states that «every individual has the right to life» (Art. 3); or in the American Convention on Human Rights (1978) (2), which clearly states that «every human being is a person» (Art. 1). But, on the other hand, the practice of abortion has been spreading in a large part of the world and with the support of the United Nations, which at the time promoted human rights. What has happened is that two adjacent rights

have come into controversy: on the one hand, the right to individual autonomy of persons and, on the other, the right to life. It seems that the first of these rights has been imposing itself on the second. This strengthens the so-called principle of reproductive freedom, based on personal autonomy, over the principle of reproductive beneficence, which should always protect the conceived child (3). As Dr. Navas, professor of sociology at the University of Navarra, points out very well, *abortion is born in a culture that is spreading everywhere and now has a global scope where all debates are very similar. The social acceptance of abortion is the most serious thing that has happened in the 20th century without exception (p. 11) (4).*

2. The beginning of human life

Around abortion there is traditionally a debate about what is the true beginning of human life. Often the arguments deviate from what science indicates in the strictest sense of the word and are clothed in ideology. To answer this question, one must turn to scientific medical praxis. In this sense, Dr. Justo Aznar (5) indicates that the human embryo begins its life from the first day of fertilization, stating the following: *the life of a human being begins with the fusion of the pronucleus, male and female; that is, with fertilization and, therefore, that primordial embryo is worthy of all the respect due to all adult human beings (p. 21).* Undoubtedly, this first piece of information is already highly enlightening and offers few doubts about the consideration of the beginning, because if it is not interrupted this initial phase reaches a more adult life, but not for that reason a more human one. Once a new zygote has been formed, a new individual of the human species has been created (5-7).

Along the same lines, the medical doctor Gonzalo Herranz addressed the question of the beginning of human life throughout his professional career, with the intention of making clear what the medical perspective was to this effect. According to his studies, in

the last 50 years there has been an attempt to weaken the status of the human embryo, born a few days old. In order to achieve this goal, all kinds of false images have been used to distort it. According to this doctor, in a book that has become famous and that seeks to reopen a debate that seemed closed and closed, *those who practice assisted reproduction or experiment with human embryos use this tactic [human embryo] to generate a current of favorable opinion. To this end, they used the nomenclature of cells or biological complexes when speaking of a human embryo* (p. 7) (8).

In this way, most of the countries have been deriving their legislation towards a classification favorable to abortion. For this reason, Dr. Herranz maintains that all these regulations have been built on a shaky foundation and *that there can be no good bioethics without a good biological basis* (p. 9) (8). Consequently, he advocates *revising the issue of abortion from top to bottom* (p. 12). As he points out, *the bioethical presuppositions and the various legislations that gave legality to the practice of abortion and the manipulation of embryos are invalid; moreover, they are flawed* (p. 13) (8). For him there are still many substantial questions that have not yet been answered with the scientific sufficiency they deserve. This has happened because certain previous explanations have been repeated on the subject in question, intelligent and rational, but imagined, not based on rigorous observations. For Dr. Herranz, human life has a very obvious beginning and his position is very clear in this respect: *The human zygote, first of all, is already a child, in which two progenies, two human families, are united. By uniting the genomes of the father and the mother, it becomes capable of acquiring and expressing certain hereditary characteristics that are biologically linked to a human past, to certain families, and that determine to a large extent its future, which is also human. Moreover, fertilization not only confers on the zygote a genetic inheritance and a dynamism to initiate development, but also inserts it into an environment from which it receives epigenetic stimuli that force it to react, to adapt to new situations, to unfold many possibilities. And, in the human embryo, all this –genome, developmental dynamism, epigenetic stimuli– is always specifically human* (p. 127).

For her part, the prestigious doctor in biology Natalia López-Moratalla, in a recent conversation with the authors of the present research, with the intention of shedding sufficient light on such an important question and to which she has dedicated a lifetime of instigation, declares the following: *Fusion is a temporary process that starts and takes about 12 hours to finish, not 24. Only then is it finished and a true zygote with genetic material in a position to start expressing genes has been constituted. It is the zero moment of life; the time, the process of fertilization is fertilization, and life has not begun until the zygote is present (9).*

For all that has been said, the fact that *shortly after the fusion of a spermatozoid with an ovum becomes notable a wave called «calcium wave», caused by a temporary increase in the intracellular concentration of calcium ions and by the action of osciline, spreads rapidly through the fertilized ovum, is of remarkable relevance. This is the signal of activation and the beginning of embryonic development (p. 270) (10, 11-14).* At that precise moment a biological being with 46 chromosomes is constituted and the sex of the individual with its identity is already determined (15, 16), begins a biological, psychological, mental and spiritual dialogue with the mother (15).

The question about the beginning of human life indicates that the details in the scientific field are of enormous relevance. In this sense, two scientists of enormous importance detail their impressions in the light of what biological science indicates. Therefore, Dr. López-Moratalla adds, entering into dialogue with the scientist Justo Aznar and thus giving a joint vision of enormous value in the present: *Dr. Justo Aznar and I agree that life begins after fertilization. At the end of fertilization, which is a temporary process (it seems that it takes at least 12 hours), life begins, another temporary process, which is not confused with fertilization (9).*

For Dr. López-Moratalla, there is no fusion of the nuclei into a single nucleus in the human being, since something else is missing for fertilization to be considered complete. Furthermore, it should be added that the DNA of the gametes undergoes a series of che-

mical and structural modifications and all the intracellular contents and membranes of the ovum are transformed and the zygote appears. The zygote already possesses its own life, since there is continuity with the following embryonic stages. Today, it is known with enough certainty how the embryo is structured: *In short, it is necessary to show that the zygote is a human body in the beginning phase. Only then can we affirm that it contains what we rightly attribute to human beings: respect for their life from conception to death, dignity, etcetera* (9).

From all that has been said and based on the opinion of these experts in the field and without fear of being mistaken, it can be concluded that the beginning of human life occurs at the moment of fertilization. This is affirmed by authors of such authority as Dr. Gonzalo Herranz (1931-2021), Dr. Justo Aznar (1937-2021), Dr. Alejandro Navas, PhD in Law and Philosophy, and Dr. Natalia López-Moratalla, PhD in Biological Sciences. The first two have recently passed away.

From other positions it will be argued that the zygote has no independence and that it belongs completely to another body –that of the mother–, but it should be noted that the human embryo is an integrated system, capable of self-regulating its own development, which indicates that we are dealing with a completely organized living being with all the necessary properties: growth, differentiation, reproductive capacity, development and death (15, 17-20).

As Professor Angelo Serra (13) pointed out at the time, *two main aspects of this new cell must be emphasized: the first is that the zygote has its own precise identity; that is, it is not an anonymous being; the second is that it is intrinsically oriented towards a well-defined development, that is, to form a human subject with a precise bodily form* (p. 270) (19, 21). The belonging to the human species on the part of this new cell is scientifically unquestionable, with its biological identity, its codified program and enormous morphogenetic potentialities: *the embryo is always itself, distinct from the mother from the beginning, and with the specific characteristics and properties of a human individual at that particular stage of its life* (p. 24) (15).

The question that arises from this first exposition is whether it is licit or objective to affirm that in this period all that is found is an accumulation of weakly organized cells or a biological complex. From science it is now known that the first property of the embryo is the *coordination* in a sequence that is not interrupted by signals between cells and within these from the cytoplasm to the nucleus (10, 21). From the scientific point of view, as Dr. Serra also states, *the human embryo is not a heap of cells, but rather a complete embryo at each stage* (p. 275) (13). Therefore, there is a continuity that is not interrupted in any of the stages. There are no moments more decisive than others in this transit in which human life begins.

When the two gametes have united, *we can affirm that a real human individual begins its own existence or life cycle* (p. 276) (13). From this point on, we can speak of «child» or «person», but this is an anthropological question that is also legitimate to ask at this point. Today, however, the depersonalization of the zygote is the main reason why abortion is completely legalized and uncritically accepted in practically all the countries of the world, and what varies are the time limits in some countries (17, 18).

3. Human life from a philosophical point of view

Every human being possesses a series of characteristics that are proper to him and that differentiate him from the rest of living beings. This notable difference is «a vital principle that we call soul» (p. 13) (22). The changes, when they are substantial, affect the being itself and its substance or identity, but in the human embryo this does not happen, since the changes that occur in the different stages are accidental and do not affect its substance. The same and unique being is the one that develops in line of continuity from the beginning to the last end of its vital cycle.

The concept of soul, however, does not cease to be a disputed term and that is not convergent from the scientific point of view,

for not being material and empirically verifiable. Therefore, in order to try to bring closer the concept of «soul», which is rooted in that of the «dignity of the person», arguments are used that anthropology indicates and that can be of great help. One of the keys, even though it may seem interesting *a priori*, is the confirmation of human love.

To one who has loved or loves someone deeply, the truth contained in Gabriel Marcel's famous assertion does not escape him; to love someone is to say to him, *You will never die!* That is to say, to one who has experienced a love that, despite all the sorrows, endures over time, the belief in that immaterial principle we call the soul is not so distant or so opaque. [...] In this connection, it is worth bringing up the words of the Danish philosopher Søren Kierkegaard: *there is only one proof of spirituality, and this proof is the proof of the spirit itself in each one of us. Whoever wants other proofs, may be able to gather an enormous amount of them, but they will be of little use to him, for he is already classified as lacking in spirit* (p. 49) (23).

Human love, therefore, is a reality insufficiently valued, although the foundations of the current of French personalism entrusted much of its discourse to this question. This love possesses characteristics that cannot be reduced to a purely materialistic prism, since it is in itself a mystery. It is a biographical love that endures in time in a unique and exclusive way. Therefore, every person, from the beginning of his life, must be treated as an end and not as a means. Such a Kantian presupposition –proper of formal ethics–, would not fail to raise the same question about what is the true beginning of human life, but once the answer is found, on scientific grounds, there would be no hesitation in defending human life from the origin (24).

There are elements in human life that make it different from merely vegetative or animal life, and this is an incontrovertible fact. For this reason, to reduce the human to the merely biological, as is done in many tribunes of thought, does not seem to do justice to human nature. This is attested to by the Spanish philosopher José

Ortega y Gasset (1883-1955), who understands that to speak of the human from these premises is a denaturalizing reductionism that does not distinguish the material from the human soul: *What is our life, my life? It would be innocent and incongruous to answer this question with definitions of biology and to speak of cells, somatic functions, digestion, the nervous system, etcetera. [...] My life is not what happens in my cells, any more than what happens in the stars. [...] Whatever is said to me, then, about my bodily organism and whatever is added to me about my psychic organism by means of psychology, already refers to secondary particularities that presuppose the fact that I live and, in living, encounter, see, analyze, and investigate the body-things and soul-things* (p. 204) (24).

Thus, reason and the understanding of the human endorse the fact that the human being is treated differently from the way anything else should be treated. It is not a question of despising the rest of living beings, but of attending to the human in its particularity. This is why reference is made to such markedly human questions as love or the soul, since they have an enormous correlation with the world of values, allow us to understand what human life is and can lead to enormous suffering. On the subject of abortion, a woman does not usually have an abortion as if it were nothing, because this «mother-child» dialogue has already begun in her innermost being: *For the vast majority of pregnant women [...] abortion is a traumatic step that often leaves physical and psychological after-effects* (p. 16) (4).

Moreover, the reality of abortion is not only a human drama on the personal and individual level, but also has deep social roots, since the number of unborn children in the world is of great magnitude and this increasingly affects the perception that society has of the value of life and, especially, of population fluctuations: *The generalization of abortion in the world, with hundreds of millions of victims, influences the population structure of countries* (p. 17) (4).

Values, and especially the supreme value of life, cannot and should not be determined exclusively on the basis of biological criteria –as can be seen– even though the biological fact also supports the value of human life from the moment of conception, but also

on the basis of sociology, since the bond of love that exists between the human family and the obligatory protection of one towards the other, especially towards the most vulnerable, calls for this intergenerational attention of protection of one towards the other. Human life is social by nature and expects recognition of the other; hence the importance of recognizing and welcoming life, since *the human subject is not exclusively a biological and animal being and, therefore, death is not a simple biological phenomenon, but an existential and human condition* (pp. 296-297) (25). Not attending to this reality in defense of all that is human could generate *a widespread social pathology* (p. 17) (4).

It is not given to us as a society to decide which life deserves to be lived. Not only does science decide the value of all human life from the beginning of its life cycle, but also reason offers solid arguments for its dignity (26, 27). Undoubtedly, arguments of reason can be found in one sense or another, but if criteria of excellence are taken into account, one cannot look the other way and fail to recognize the dignity of every human life as a reality that is imposed –from its beginning to its natural end.

Unfortunately, and *despite the international law that has defended it, globalization has not resulted in a globalization of dignity* (p. 60) (28). So it is worth highlighting the goodness of life in the face of postulates that do not, but not as a merely aesthetic dimension, but as an ethical and scientific one. A great thinker, such as Robert Spaemann, refers to this in a clear way, when he points out that *man's personal being seems to be valued very differently today. His dignity as a person is questioned both at the beginning and at the end of life* (p. 66) (29).

4. International rights protecting the life of the unborn child

The first right that one has is that of life, and it is a fundamental right that embraces every human being; it is not linked to youth,

psychic health, physical health or physical vigor; it cannot be measured by the subjective satisfaction it produces nor by the level of well-being, in such a way that one of the most vulnerable moments of life is before birth and demands special protection for its preservation. Unfortunately, abortion has been practiced since the middle of the 20th century, when experimentation with human life began in the laboratory and the death of the unborn was provoked by the ingestion of drugs, given the appearance of new biomedical technologies (30), such as *in vitro* fertilization, cloning, stem cell trials, embryo research, among others (31). All this provoked a series of debates, including legal ones. From then on, the legal status of the human embryo was established, in order to offer it full legal protection, with various international treaties such as the Convention on the Rights of the Child (1990), the Declaration of the European Parliament on the Rights of the Child (1980), the International Covenant on Civil and Political Rights, which affirms that the right to life «is inherent to the human person». For its part, the European Convention on Human Rights (ECHR) mentions that everyone has the right to life, and the American Convention on Human Rights (ACHR) forcefully specifies that «the right to life shall be protected «in general», «from the moment of conception»» (32).

The Universal Declaration of Human Rights, proclaimed in 1948 by the General Assembly of the United Nations in Paris, mentions, in its third article, that *every individual has the right to life, liberty and the security of his person* (1), and that society has the duty to care for and protect the life of its members, a responsibility of each of the citizens who make up that society, as well as of the State, which must assume the *obligations and duties under international law to respect, protect, guarantee and observe; these last two are what are known as «realizing» human rights* (33); thus, the mandatory term attributes to refrain from limiting and interfering in the enjoyment of human rights, as the obligation to facilitate the enjoyment of the same, through positive measures. Transgressing any human right will always have repercussions on the others without exception, and one of the rights that is of sin-

gular importance is the right to life, since without it, it is impossible to comply with the others. It is, therefore, the right that under no circumstances can be interrupted, withdrawn or suspended. Prior to the reform of the Political Constitution of the United Mexican States in 2005, Article 14 explicitly mentions the concept of life:

Article 14. *No law shall have retroactive effect to the detriment of any person. No one may be deprived of his life, liberty or property, possessions or rights, except by means of a trial before the previously established courts, in which the essential formalities of the procedure are complied with and in accordance with the laws issued prior to the act (34).*

Thus, it is observed that the right to life is the right par excellence since, without it, all the others would cease to exist. In addition, in the same Constitution (34), the protection of the unborn is observed in Article 123, which reads as follows: [...] *Women during pregnancy shall not perform work that requires considerable effort and means a danger to their health in connection with gestation. [...] The employer shall be obliged to observe, in accordance with the nature of his business, the legal precepts on hygiene and safety in the installations of his establishment, and to adopt adequate measures to prevent accidents in the use of machines, instruments and work materials, as well as to organize the latter in such a way as to provide the greatest guarantee for the health and life of the workers, and of the product of conception, in the case of pregnant women. The laws shall contain, to this effect, the appropriate sanctions in each case. [...] Women during pregnancy shall not perform work that requires considerable effort and represents a danger to their health in relation to gestation.*

5. Social context of Aguascalientes with respect to human life

In the XIX century, during the presidency of Plutarco Elías Calles (from 1924 to 1928), secular education was established in Mexico, which was embodied in the Constitution of 1917, which governed the prohibition of the use of religious clothing in the street, religious

education, and ordered the enclosure of the convent, triggering the Cristeros War or Cristiada (1926-1929). Aguascalientes was part of the territory where it was experienced with great force, especially in 1927 and 1928 (35). Later, with the constitutional reform of 1992 of articles 3, 5, 24, 27 (fractions II and III) and 130, presented by the parliamentary group of the Institutional Revolutionary Party (PRI) and with the discreet strength of the evangelicals, religious associations and freedom are legally recognized among other guidelines, which favors the recognition and legal personality of the evangelical religious associations. Since then until today they have been non-governmental organizations interlocutors between the government and evangelical believers, playing a role in defense of the secular regime of the Mexican State, which continues to guarantee the rights of believers in the face of religious violence, protecting religious freedom, displacements and gaining visibility in the political scenario of the country (35).

In 2013, with the PRI in government, the reform of article 24 of the Constitution was carried out, in which the concept of religious freedom was incorporated instead of freedom of worship, which produced a triumph for the Catholic leadership. Later, there is the union of evangelicals with Catholics and the National Action Party (36, 37) that assume the pro-life and pro-family position to protect life from the moment of conception and, which are also supported by the National Front for the Family, which is made up of Non-Governmental Organizations (NGOs) of religious origin, especially Catholic (37).

In 2016, financed by the evangelical Solidarity Encounter Party (PES) and in union with the National Front for the Family, the «March for Life and Family» was held, which was called «Citizens' Initiative for Life and Family». After this, more than 30,000 signatures were delivered to the legislators, with the religious initiative to establish constitutionally the respect for life from conception, as well as to establish the heterosexual couple as the foundation of the

family; that is, marriage, with only them having the power of adoption and avoiding gender ideology in the educational content (38, 39).

Subsequently, on February 12, 2021, the right to life from conception to natural death is shielded in the Constitution of Aguascalientes, with the support of PRI deputies of the PRI, the Green Ecologist Party of Mexico (PVEM), the New Alliance Party (PANAL) and the PAN, with 18 votes in favor, 1 abstention and 7 against (40).

The aforementioned result is derived from the profile of the society of Aguascalientes, with 1'159,832 inhabitants, mostly catholic, and 42,202 of other creeds,¹ in a total population of 1'425,607 inhabitants (41). The effect is a lower probability of transformation of the law in favor of decriminalization of abortion, in addition to the fact that political parties become aware of the political cost of promoting abortion in a historically Catholic region, making the final decision not to submit the law to change (42).

6. Legal status of the embryo

The reason for the law is the social nature of the human person, and it arises as a means for its service in the custody of the rights of persons, premises that are currently not fully accepted, since the current reductionist current of thought considers that the dignity and value of human life depend on the development, autonomy or quality of life of the person. However, as Pastor points out, the beginning and acceptance that human life begins at fertilization is not subject to opinion but to science, which experimentally evidences its existence according to the characteristics of the zygote (33). On the other hand, the ontological conception of the human person considers this zygote valuable for who it is, not for the capacities it possesses or for its qualities; thus, the right to life is primordial, since, without it, the other rights are lacking. By attacking human life, an aggression against dignity is produced (29, 36).

Now, according to Alonso, the status of the human embryo must be considered with three premises: in the first place, given its biological and genetic constitution, it is a human being (33); secondly, contradictorily, the pre-embryo and the embryo are not equal to the rest of the persons due to the lack of the reflective and sensitive capacity; finally, due to the condition of the pre-embryo from the ontological and moral perspective, it is not comparable to the condition of a person. It is possible to analyze the reasons against and in favor of its use in biomedical technology, but a conciliatory position of protection and respect for the human embryo in research processes and therapeutic applications is necessary (11).

In turn, there are currently two positions regarding human life: one, from positive law, which protects life gradually and grants it legal personality but which is totally unprotected against arbitrary dispositions; and the other, the logical continuity, in which the protection of human life is legally guaranteed. Thus, the gradual perspective allows abortion, the donation and use of human embryos and fetuses, and assisted reproduction, among other actions, while the logical continuity perspective protects human life from conception to natural death, guaranteeing free development. The latter is based on science, which proves that human life begins with the fusion of the male and female gametes, making it impossible for any whim to alter this continuous development, and affirms that the embryo has a natural origin and is a unique and unrepeatable reality, *a human person with potentialities not yet actualized* and, therefore, a subject of law (29). Therefore, when laws are authorized to harm the life of the human person and the common good, they have no authentic juridical validity (13).

Likewise, the legal provisions in Aguascalientes grant the unborn the figure of person and protect it regardless of the time of gestation in the womb, and punish those who procure its death, which is specified in Article 19 of the Civil Code for the State of Aguascalientes: *The legal capacity of natural persons is acquired by birth*

and lost by death; but from the moment an individual is conceived, he enters under the protection of the law and is considered as born for the effects declared in the present Code (32).

7. Scientific prism

Evidently science has confirmed that the zygote is a living being and, due to its genetic structure, a human being; therefore, with its own rights. Thus, from the moment of conception until its death, said individual genetically possesses the same DNA sequence (even with possible polymorphisms), which will be maintained throughout its life, which gives it the quality of being unique and unrepeatably; however, and above all, it is a being independent of the body of the mother, who houses it in her womb during pregnancy throughout its development process until the moment of birth (13).

In Mexico, it is considered an embryo until the twelfth week of gestation (36); Nevertheless, today science categorically affirms and it can be demonstrated by those who carry out *in vitro* fertilization, that human life begins at the instant in which the male and female gametes unite, generating a human genome (36), made up of 46 chromosomes and, with them, a human person, an autonomous biological unit that, from the zygote, undergoes multiple processes of gradual and orderly development, which is far from being a simple set of cells and tissues that form part of the mother's body (31, 43). Monge states that *the different phases of development entail a morphological change, but never a change of nature. [...] Man is defined by his constitution and not by his morphology or functions* (p. 10-22) (44).

Currently there is a wide international discussion on the affectation of the respect due to the dignity of the human person and what impacts on human rights, since the indiscriminate experimentation with human embryos (45, 46) in the face of diverse economic interests reflects a great setback in the protection of the integrity

of human life, which translates into a patent and classic form of exploitation, and does not take into account the opinion of health professionals at all (45).

It is the physician who is responsible for the health of his patients, this being the sole purpose of medicine, and it is the maternal-fetal subspecialty that is responsible for treating the fetus *in utero*, as well as the pathologies experienced by the mother and which, consequently, affect the fetus, in such a way that the fetus is not affected, Thus, to attempt against the life of the fetus is an action contrary to the medical profession, since the result of the death of the embryo or fetus goes against the objective of medicine (47), since the zygote is a human being, unique and unrepeatable (48).

For its part, the World Health Organization (WHO) considers abortion as the spontaneous or induced expulsion or removal from the womb of an embryo or fetus weighing less than 500 grams, weighing less than 20 weeks of gestation, or both (17). Between 2015 and 2019, there have been approximately 73 million abortions per year (49).

Induced abortion can affect the woman in various aspects, from the philosophical, social, medical, legal, moral, demographic and family aspects (48, 50). However, it is always a complex act that depends to a great extent on the circumstances surrounding each woman to reach this decision supported in some liberal and «advanced» countries (48), based on the liberalization of abortion, in order to safeguard the reproductive and sexual rights of women, of her freedom and her right to decide for the supposed good of the woman (50, 51), which hypothetically frees her from the sense of guilt, of rejecting responsibility for the human act committed which generated a life and which relativizes the value of human life (48).

The consequences of induced abortion leave indelible marks as a result of discarding and leading to the death of the conceived child, after which the woman experiences depression, anxiety, guilt and grief known as Post-Abortion Syndrome (PAS), since it is a direct attack against the free development of human life. It also

generates profound sequelae in the lives of women who experience voluntary abortion, among which are various disorders, both in personality and in socio-family circumstances. And depending on cultural differences and consideration of the moment at the beginning of life, such disorders can also be experienced by men, fathers of the embryos sacrificed (48).

In some countries abortion is legal, and the main reasons for legalizing it are to safeguard the life of the woman, to take care of her health or in cases of incest, rape, fetal damage, social reasons and economic reasons (18, 52). In relation to rape, several studies show that a woman becomes pregnant only in extraordinary cases because, in that event, the woman may not have been exposed to the rapist's semen or she was not at a fertile time in the menstrual cycle, or she uses some type of unnatural family planning method, in addition to the fact that stress triggers temporary infertility, so ovulation may be delayed or, perhaps, the woman had already ovulated. Other causes for which a woman cannot get pregnant in a rape is because of her age, as she may be too young or too mature, or she may be sterile or already pregnant. On the other hand, there is also the situation of the rapist, who may be sterile or have sexual dysfunctions (53).

The economic situation in which the woman finds herself is another factor that leads her to induced abortion (51), both for those who are financially able to pay for it and circumvent the legal impediments with their economic power, and for those who, as a result of a complex socioeconomic situation, resort to abortion to prevent the birth of their children (54-56).

In relation to congenital defects of the fetus, these are identified through the study of Prenatal Diagnosis (PND) authorized by the parents of the fetus, by which the phenotype is indirectly perceived, or the probabilities of the fetal genotype that reveal the genetic conditions or congenital defects of the fetus, confirmed by a Clinical Committee, which can lead to the decision of eugenic abortion (17). The purpose of this study is to reduce both the in-

fant mortality rates due to congenital malformations, as well as the medical expenses for public health caused by congenital malformations, which translate into costly treatments caused by physical-motor and intellectual disabilities and by the various corrective surgical treatments (56). In some countries, voluntary termination of pregnancy is legally accepted under the conditions of genetic malformations of the fetus that cause some maternal disease (17). Some countries that legally authorize elective termination of pregnancy are: Mexico, up to 20 weeks of gestation; Spain, up to 22 weeks or until the end of pregnancy if there are malformations such that they may be incompatible with the life of the fetus or it has an incurable or extremely serious disease; Cuba, from 26 to 35 weeks of gestation, the latter provided that it is an exceptional case (18).

8. Consequences of abortion for women

Research shows that there are high rates of mental illness in women who have had abortions, both in those who already had risk factors and in those who did not have them before the abortion. Particularly in the case of elective abortion, the damage to the woman's mental health is specifically linked to grief and notions of trauma (58). There is evidence of a higher rate of mental health illness in women who have had elective abortions than in those who do not (12), and the risk is moderately higher during late adolescence and early adulthood (59). On the other hand, there are rates of depression whose results are different among women who have had a voluntary abortion and those who have been denied, as well as higher rates of anxiety in women who are denied voluntary abortion (44, 60). However, if the reason for the elective abortion is motivated by rape, health reasons or incest, the consequences are severe depression and high suicidal risk (48); in other women, such an experience results in alcohol and illicit drug dependence, even during subsequent pregnancies (60).

On the other hand, the common consequences of induced abortion on the health and life of women are sepsis, hemorrhage, anemia, incomplete abortion, perforations and anesthetic complications up to death, or, in the long term, chronic pelvic inflammatory process, infertility and ectopic pregnancy (33, 43, 61, 62), as well as peritonitis, trauma to the reproductive and abdominal organs (63), endometritis, shock, uterine perforation, premature delivery in subsequent pregnancies, metabolic disease, perforation of the cervix, placenta previa in subsequent pregnancies, blood clots, adverse drug reactions, cardiac arrest, respiratory arrest, renal failure, coma and free fluid in the abdomen (61).

9. Methodology

The research has a quantitative, non-experimental, transactional and descriptive-explanatory approach. The paradigm is positivist, where social phenomena are studied by means of measurement, the recurrence of observable facts, the finding of trends and the formulation of hypotheses, where theory precedes the formulation of theory and objectives. It has a structured, sequenced and closed design, where the central interest is in the description and explanation of social phenomena from an objective and statistical perspective (64).

In this study a non-experimental design was used, which allows observing the phenomenon in its natural context, without manipulation of the study variables (64). This research is transactional, since it is characterized because the data are collected at a single moment for the description and analysis of the results in a specific period of time (65); it is descriptive-explanatory to the extent that the personal, family and academic characteristics of the research participants are described, in addition to knowing the reason for the phenomenon (66, 67).

The participants were 407 inhabitants of the capital of Aguascalientes, Ags., Mexico, out of a universe of 922,960 (41), aged 15 years and older. The sample was obtained using the Survey-Monkey® sample size calculator, with a confidence level of 95% and a 5% margin of error. Participation was strictly voluntary, anonymous and confidential, and consisted of answering a survey that was piloted with the equivalent of 10% of the sample, an instrument validated by five experts and with a reliability of 0.8 Cronbach's Alpha, instrument applied through the Google forms tool (<https://forms.gle/MagXs8oCG8o62RSNA>), and distributed through the WhatsApp application to the general population. The Statistical Product and Service Solutions (SPSS) software was used for data analysis, which is frequently used in quantitative research, and has the advantage of providing accurate data, offering a numerical description and figures that enable the interpretation and analysis of the results.

10. Results

This section shows the most relevant results obtained using SPSS software, when applying this tool to collect the information. The analyses are descriptive and were obtained from the sample of the population chosen to analyze the sociodemographic data. The identification of the results was a process that depended on both an adequate collection of information and an exhaustive interpretation. It is important to recognize the relevance of each piece of information in relation to the research that was being carried out, in order to respond to the stated objective.

Thus, of the 407 participants, 32% were aged between 15-25 years; 25% were aged 26-36 years; 15% were aged 37-47 years; 20% were aged 48-58 years; and finally, 8% were aged 59-74 years (Figure 1).

Figure 1. Response statistics.

Sex		N	Media	Deviation	Dev. error average
Have you had pregnancies?	Woman	312	2.37	1.590	0.090
	Man	0 ^a			
Have you had a miscarriage or unprovoked?	Woman	312	0.21	0.407	0.023
	Man	0 ^a			
Have you had a miscarriage?	Woman	307	0.08	0.279	0.016
	Man	0 ^a			
Do you have children?	Woman	184	0.14	0.349	0.026
	Man	95	0.45	0.500	0.051
How many children do you have?	Woman	158	2.46	1.182	0.094
	Man	52	2.92	1.152	0.160
When do you think human life begins? Please mark the answer that is closest to your opinion.	Woman	312	0.95	1.255	0.071
	Man	95	0.59	1.087	0.111
The embryo and the fetus, are they stages of the development of the human being in the process of pregnancy?	Woman	312	0.26	0.653	0.037
	Man	95	0.11	0.399	0.041
Is the life of a born human being just as important as one that is in the process of development in the womb?	Woman	312	0.57	0.897	0.051
	Man	95	0.36	0.757	0.078
Do the terms «termination of pregnancy» and «provoked abortion» refer to the same action?	Woman	312	0.48	0.845	0.048
	Man	95	0.73	0.928	0.095
When do you think an induced abortion could be carried out? You can choose multiple answer options.	Woman	312	0.60	0.674	0.038
	Man	95	0.62	0.717	0.074
Are there negative consequences for the woman's life in an induced abortion?	Woman	312	0.58	0.875	0.050
	Man	95	0.28	0.663	0.068

Citizen initiative *versus* decriminalization of abortion

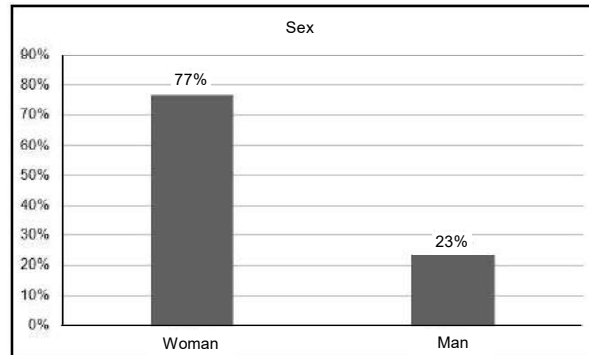
Are there negative psychological consequences for women after an induced abortion?	Woman	312	0.55	0.859	0.049
	Man	95	0.24	0.631	0.065
Are there negative consequences for women's health after an induced abortion?	Woman	312	0.62	0.870	0.049
	Man	95	0.32	0.688	0.071
Is the embryo –it is formed from conception to eight weeks– a part of the woman's body like any other organ of her body?	Woman	27	0.19	0.396	0.076
	Man	10	0.30	0.483	0.153
Does induced abortion deny the right to life?	Woman	27	0.26	0.447	0.086
	Man	10	0.20	0.422	0.133
Do you consider that from the moment of conception of the embryo –it is formed from conception until eight weeks– it is a being with rights?	Woman	312	0.72	0.949	0.054
	Man	95	0.48	0.823	0.084
Are you for or against induced abortion?	Woman	295	0.76	0.955	0.056
	Man	90	0.48	0.824	0.087
Are you for or against the protection of the life of the embryo or fetus in the process of pregnancy?	Woman	296	0.66	0.907	0.053
	Man	90	0.32	0.684	0.072
Do you think that legalizing abortion is a reflection of the loss of values in society?	Woman	27	0.30	0.465	0.090
	Man	10	0.20	0.422	0.133

Note: «t» cannot be calculated because at least one of the groups is empty.

Source: Own elaboration.

According to the results obtained, of the 407 people surveyed –76.7% women and 23.3% men–, the percentage of women is higher than that of men (Figure 2 on the next page). This is explained by the fact that the female perception is that women give

Figure 2. Sex of participants. Response rates during the implementation of the instrument.



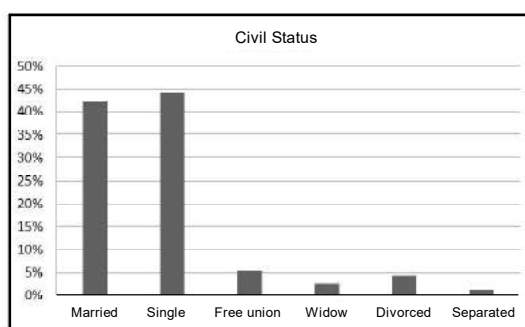
Source: Own elaboration.

more importance to the subject than men. They consider it to be almost exclusively a woman's issue. However, some men also answered the survey and responded from their perception.

The average number of pregnancies is 2.37 and the average number of children is 2.69. Regarding induced abortion, 8.9% of the women surveyed have experienced it. The majority of the participants in the study are single with 44%; in second place are married with 42%. Other marital statuses, such as common-law, widowed, divorced and separated represent a smaller proportion, and this is a reflection of society. Divorces have steadily increased relative to marriages; between 2000 and 2019 they almost quintupled from seven to 32 divorces per 100 marriages (41) (Figure 3).

63.7% of those surveyed consider that human life begins at fertilization, while 19.2% consider that there is no exact moment at which they can say that human life begins. Eighty-seven percent of the respondents consider that the embryo and fetus are indeed stages of human development in the process of pregnancy. As for the importance of the life of a born human being and that of a human being in the process of development in the womb, 73.3% of the participants affirm that it is the same. 72.5% of the respon-

Figure 3. Marital status of the participants.
Participants' responses regarding marital status.



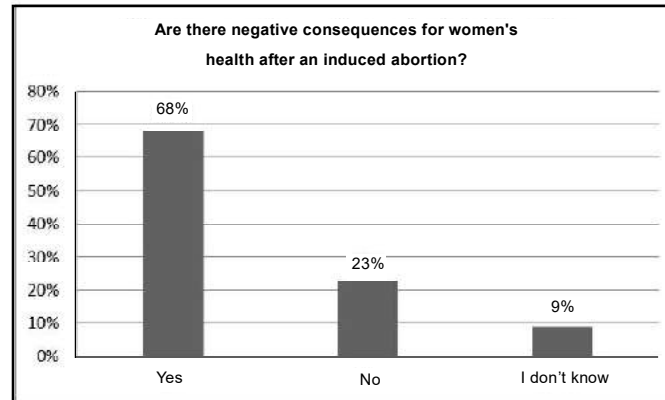
Source: Own elaboration.

dents consider that the terms «termination of pregnancy» and «induced abortion» do refer to the same action, as opposed to 24.1% who do not. 49.7% of respondents affirm that under no circumstances could an induced abortion be carried out, while 48.7% consider that an induced abortion could be carried out when the woman's life is in danger during pregnancy; finally, 41.5% consider that induced abortion can be carried out as a result of rape.

32.9% of those surveyed consider that induced abortion can be carried out when the embryo or fetus presents some disease. 68.1% of those surveyed consider that there are negative consequences for the woman's health after an abortion, while 22.3% consider that there are no negative consequences (Figure 4 on the next page). 79% of respondents consider that the embryo is not part of the woman's body like any other organ of her body, while 21% of respondents do. 77% of respondents consider that induced abortion denies the right to life, while 23% consider that induced abortion does not deny the right to life.

71.2% of those surveyed consider that there are negative consequences for the woman's life in an induced abortion, while 22.5% do not consider this to be the case. 73.3% of those surveyed consider that there are psychological consequences for the woman

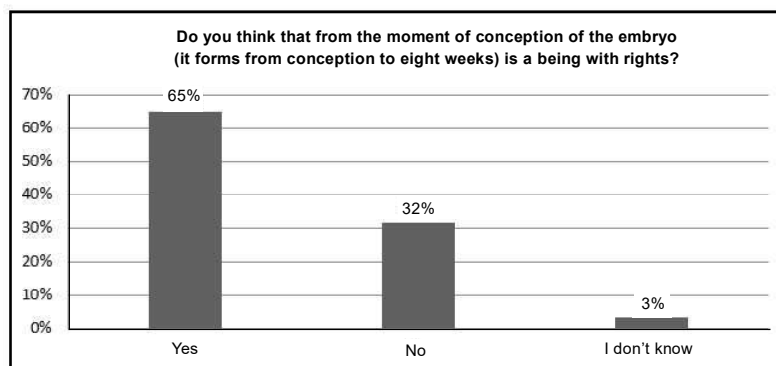
Figure 4. Negative consequences on women's health.
Data obtained from the knowledge of the negative consequences on women's health after induced abortion.



Source: Own elaboration.

after an induced abortion, while 21% do not consider this to be the case. 65.3% of respondents consider that from the moment of conception the embryo (it is formed from conception to eight

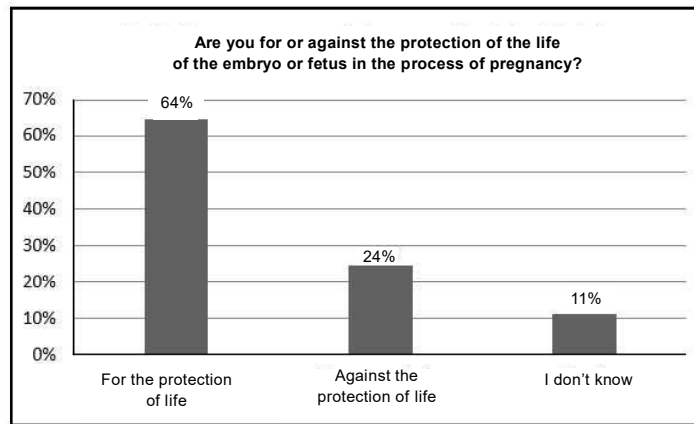
Figure 5. Citizen opinion on whether the embryo is a being with rights.
Percentage of opinion on whether the embryo is a being with rights.



Source: Own elaboration.

weeks) is a being with rights. 63.4% of the respondents are against induced abortion, while 32.7% of the respondents are in favor of induced abortion (Figure 5). 67.9% of respondents are in favor of protecting the life of the embryo or fetus in the process of pregnancy, while 25.6% are not (Figure 6). 74% of the respondents consider that legalizing abortion is a reflection of the loss of values in society, while 26% consider that it is not.

Figure 6. Opinion on the protection of the embryo or fetus.
Data collected in percentages in favor or against the protection of life.



Source: Own elaboration.

11. Conclusion

According to the findings of the present study, it is concluded that more than 60% of the people surveyed consider that there are negative consequences for women's health after an abortion, which coincides with the findings of Fernández (48), Ortega *et al.*, (50), who state that it can affect women in various areas, from the philosophical, social, medical, legal, moral, demographic, to the family and, in particular, they can experience Post-Abortion Syndrome

(PAS), which is reflected in depression, anxiety, guilt and grief, which lead to depression, guilt and grief, guilt and grief, which lead to personality disorders, since, finally, after the voluntary abortion has occurred, they become aware of the rejection experienced and the responsibility of causing the death of their child, thus relativizing the value of human life (48).

Regarding the results on considering the embryo as a being with rights, more than 60% of those surveyed mentioned that it is, given that the society of people of Aguascalientes recognizes that the beginning of human life is gestated at the moment of fertilization, from which the unborn child is a subject of rights equivalent to a born human being and whose life must be protected. This coincides with Aznar (15), when he affirms that every human embryo develops autonomously and implies the uniqueness and singularity of said embryo. It also goes in the same direction of what Gevaert (25) mentions, on the importance of recognizing the value of human life from the moment of conception. It also coincides with what is stated in the American Convention on Human Rights (ACHR), which specifies that the right to life will be protected from the moment of conception, the moment in which, according to science, human life begins, with its own entity, given that the zygote is a living being that possesses human genetic structure and whose DNA sequence will be maintained throughout its life, giving it the quality of a unique and unrepeatable being (10), with a defined capacity for growth, differentiation, reproduction, development and, finally, with natural death, progressive differentiation that implies uniqueness and singularity of the human embryo (25).

Regarding the results on whether one is in favor or against the protection of the life of the embryo or fetus in the process of pregnancy, those in favor of the protection of life are clearly greater, which coincides with Serra (13), who mentions that there are no moments more decisive than others in the beginning of human life. Transgressing human rights, and especially the right to life, has

repercussions on others without exception. Therefore, this right cannot be interrupted, withdrawn or suspended under any circumstances (68).

In Mexico it is ratified that no law can exist that harms the person, beginning with the one that deprives him of life, because, it is affirmed, the right to life is the right *par excellence*, since, without it, all the others cease to exist (33). In Aguascalientes, the Civil Code states that an individual will be protected by law from the moment of conception, since by attacking human life an aggression to dignity is carried out (30, 68), in such a way that it is recommended to enforce the law initiative of December 15, 2020 of the Political Constitution of the State of Aguascalientes –originated by the results obtained in the present investigation–, in which a fifth and sixth paragraph are added to Article 2º, which aims to recognize the right to life in the local Constitution, as a right *par excellence* that makes possible the existence and enjoyment of other fundamental rights, but without affecting the sphere of other rights (35), since without the right to life, all the others are lost, and it is the demanding voice of the citizenship with strong roots in Christian values who request it so that the rulers focus their work on the common good (42).

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