Abstract

The scope of this study is to question the fact that in some countries in Latin America (Chile, El Salvador, Nicaragua, Honduras and the Dominican Republic) abortion is still forbidden in all situations. Even after all the debate on this thorny issue, the theory of human rights is not often used in the defense of abortion. This is clearly related to the pervasive, albeit unspoken belief that, due to their condition, pregnant women inherently lose their full human rights and should surrender and even give up their lives in favor of the unborn child. This article seeks to show that an adequate reading of the theory of human rights should include abortion rights through the first two trimesters of pregnancy, based on the fact that basic liberties can only be limited for the sake of liberty itself. It also seeks to respond to those who maintain that the abortion issue cannot be resolved since the exact point in the development of the embryo that distinguishes legitimate from illegitimate abortion cannot be determined. There are strong moral and scientific arguments for an approach capable of reducing uncertainty and establishing the basis for criminal law reforms that focus on the moral importance of trimester laws.

Keywords

Abortion, Human rights, Health care