

Artificial Womb Technology and the Future of Women's Abortion Rights

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Abstract: Artificial Womb Technology (AWT), also known as ectogenesis, refers to the process of developing a fetus outside the human body through artificial means. With rapid advancements in reproductive and neonatal sciences, this technology is emerging as a potential alternative to traditional pregnancy, especially in cases of extreme prematurity and medical complications. While artificial wombs promise significant medical benefits, they also raise serious legal, ethical, and social concerns, particularly in relation to women's reproductive rights and bodily autonomy. In the Indian context, AWT presents new challenges to existing abortion laws, constitutional protections, and healthcare policies. Understanding the knowledge gaps, research methods, and experimental limitations of this technology is therefore essential to ensure that scientific progress does not compromise women's dignity, autonomy, and reproductive justice.

Keywords: Artificial Womb technology; Ectogenesis; reproductive rights, abortion rights, reproductive justice

Introduction

Women's reproductive rights are among the essential human rights and have been recognized under CEDAW. However, despite this recognition, these rights continue to be violated in many countries. With the emergence of ectogenesis, concerns related to women's reproductive rights—particularly abortion rights—have once again come to the forefront [1]. Some argue that with this emerging technology, the debate on abortion rights may eventually come to an end, especially in countries where women's abortion rights are still not fully recognized, such as the United States. However, the main concern regarding ectogenesis or artificial womb technology (AWT) is whether women will continue to enjoy the right to abortion [2]. Many believe that AWT may serve as an alternative to abortion. Nevertheless, it is essential to examine whether AWT can truly replace abortion for women who wish to terminate an unwanted pregnancy. Compelling a woman to continue an unwanted pregnancy or to opt for AWT against her will would constitute a violation of her reproductive autonomy and fundamental rights.

Related work

As we all know that recently The Children's Hospital of Philadelphia has created an "artificial womb" through which has been successfully tested on fetal lambs, where the lamb has shown normal growth [3]. Now with this the question arises here that whether women will have the autonomy to decide the end of pregnancy?[2]

Elselijn Kingma in their work also highlight the same issues that whether with evolution of the ectogenesis women will have their reproductive autonomy or not [4]. They have discussed in their work that how possibly the ectogenesis can rise issues related to abortion rights and debates about moral status and fetal personhood.

Elizabeth Chloe Romanis, in her work, argues that artificial wombs (AWs) could offer an empowering choice for some women by enabling them to opt for an alternative to pregnancy without risking the loss of their future child. This option may be particularly valuable for women experiencing dangerous yet desired pregnancies. The availability of AWs as an alternative to neonatal intensive care (NIC) could shift perceptions of risk in pregnancy, potentially leading to an increase in terminations that are not intended to result in fetal death. However, AWT is unlikely to sustain embryonic products of conception in the foreseeable future, and most women seeking conventional abortion do so before 13 weeks of gestation. According to her many misunderstood AWT as an 'alternative' to abortion [5].

Key Contribution

There is no doubt that artificial womb technology (AWT) has the potential to save the lives of premature babies. It can also assist women with high-risk but wanted pregnancies to give birth safely through AWT without endangering their lives or losing their child. However, the question concerning women's abortion rights in cases of unwanted pregnancy remains a serious legal concern, particularly whether AWT can be considered an alternative to abortion. In this research, the researcher will examine this issue through a medico-legal analysis.

Method, Experiments and Results

This study is primarily medico-legal research aimed at examining the existence and current status of women's abortion rights in India. To achieve this objective, the researcher has adopted a non-empirical research method. Data have been collected from secondary sources, including books, academic journals, research reports, and newspapers. Based on the analysis of these sources, the study finds that there is no doubt that artificial womb technology (AWT) has significant medical importance in saving the lives of premature babies. Moreover, through this technology, infertile couples and LGBTQ+ communities may have children without resorting to surrogacy, which is often legally complicated. However, at the same time, AWT poses a potential threat to women's abortion rights, which remains a serious concern for feminist scholars and supporters.

Discussions

While artificial womb technology offers significant medical benefits, it also raises serious concerns regarding women's reproductive autonomy. The potential use of partial ectogenesis to preserve fetal life without terminating pregnancy may undermine women's right to abortion. This development risks shifting the focus from women's bodily autonomy to fetal survival, thereby challenging the fundamental principles of reproductive freedom.

Conclusions

In conclusion, this study affirms that women's abortion rights constitute an essential component of reproductive autonomy and personal liberty. The decision regarding whether and when to have a child must remain with the woman. In cases of unwanted pregnancy, compelling women to choose artificial womb technology as an alternative to abortion may amount to an infringement of their reproductive freedom and bodily autonomy. While artificial womb technology offers significant medical and social benefits, its development must not be allowed to dilute or undermine established abortion rights. Therefore, there is an urgent need for comprehensive legal regulation of AWT, accompanied by clear statutory safeguards to ensure the continued protection of women's abortion rights in the evolving technological landscape.

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