



Metaphysics and the Morality of Abortion

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# *Metaphysics and the Morality of Abortion*

EARL CONEE

Conclusions about the morality of abortion have been thought to receive some support from metaphysical doctrines about persons. The paper studies four instances in which philosophers have sought to draw such morals from metaphysics. It argues that in each instance the metaphysics makes no moral difference, and the manner of failure seems indicative of a general epistemic irrelevance of metaphysics to the moral issue.

## *1. Introduction*

The metaphysical study of persons exhibits no moral bias. Theories have been defended largely by intuitive judgments about ordinary and imagined cases. Many cases involve extraordinary changes, and some of these happen to include morally dubious acts. Examples in the literature include splitting someone's brain in half and putting each half in a new body, gradually replacing someone's whole psychology and then inflicting pain on the resulting individual, and a sequence of cases of increasingly drastic psychophysical alterations of Derek Parfit that culminate with a case in which he is replaced by a replica of Greta Garbo at the age of thirty. Whatever the moral status of such activities—and some stories do include moral excuses for their grotesque procedures—the judgments about persons that are elicited by the examples do not depend on moral evaluations. Metaphysical theories based on these judgments derive no moral distortion from this use of examples.

This neutrality makes such theories potentially useful in ethics. If an impartially justified metaphysical view has some bearing on a disputed area of moral theory, then progress is in the offing. The prospect of this sort of progress may be what has led several philosophers recently to rely on metaphysical views in defense of conclusions about the moral status of abortion.

We shall find that the metaphysical views offered on behalf of moral conclusions about abortion do nothing in defense of those conclusions. Other disputable assumptions separate each moral conclusion from the invoked metaphysical view. It is the defensibility of the other assumptions that is crucial. No metaphysical view cited on behalf of a moral conclusion substantially advances the argument in favour of the conclusion.

Where there is some apparent force in an argument, rival metaphysics can be substituted with no loss in the strength of the reasoning. Particular views thus turn out to make no epistemic difference.

This is not to deny individual effects. For instance, propositions have been advocated that attribute great moral significance to personhood. If someone happens reasonably to believe such a proposition and no other that is relevant, then it would clearly make an epistemic difference for this person to acquire justification for a metaphysical theory that attributes personhood to fetuses. But this is an uninformed perspective. Other pertinent considerations from metaphysics and moral theory are familiar to philosophers. When they too are brought to bear on the issue, any appearance of distinctive support vanishes. We shall see that when something closer to the totality of familiar reasons is brought to bear, the cited metaphysical view is of no particular help in defending the conclusion about abortion.

A wider conclusion is indicated. For present purposes, metaphysics will be taken to comprise noncontingent ontological doctrines of the sort that have currency in recent analytic theories.<sup>1</sup> Thus understood, metaphysical views seem quite generally to be incapable of providing any support for a moral conclusion about abortion. This is not merely to say that other premises are needed. It is rather to claim that the metaphysics never so much as enhances the plausibility of the conclusion. Concerning the morality of abortion, metaphysics is epistemically inert.

This conclusion will be argued by an inference to the best explanation. Four recent attempts to draw morals from metaphysics will be assessed. They differ markedly, and each is of considerable interest. But each fails entirely. This pattern of failure is best explained by the general epistemic irrelevance of metaphysics to the morality of abortion.

## *2. Reductionism and nonreductionism*

Derek Parfit (1984, pp. 321–2) suggests that two views of personal identity respectively support drastically differing conclusions about the moral status of abortion. The views constitute the two main historical approaches to the nature of the conditions under which a person can continue to exist. The moral arguments about abortion that Parfit takes to be fostered by these approaches are the topics of our first case study.

<sup>1</sup> This is far from precise, though its requirements of noncontingency and ontology seem safe enough (noncontingency, rather than necessity, so that falsehoods count). Nothing here finally turns on precisely what constitutes metaphysics. Any intuitive understanding is likely to be equally serviceable.

### *2.1. A moral conclusion from nonreductionism*

Parfit suggests that the Nonreductionist approach to personal identity supports the conclusion that nearly all abortions are wrong. In brief, Reductionists about personal identity hold that a person's continuing existence involves nothing more than the continuing presence of certain psychological or physical relations, typically causal in nature, between brief or momentary person-stages.<sup>2</sup> Nonreductionists contend that our continuing existence requires something more than the holding of such psychological or physical connections. This something more may be the enduring existence of an extraordinary entity such as an immaterial soul, or it may be just the irreducibility of the fact that certain stages are stages of the person. Either alternative would include what Parfit calls a "further fact", a fact beyond the exemplification of the sorts of connections between person-stages that Reductionists take to constitute a person's continuing existence.<sup>3</sup>

Parfit (1984, p. 322) contends that Nonreductionists are committed to the proposition that a person's existence is always "all-or-nothing":

AN Any person who definitely exists at some time is such that at any other time the person either definitely exists or definitely does not exist.

AN asserts that there is never indeterminacy about whether a person exists. As Nonreductionism has been characterized here, it does not commit a philosopher to AN. The existence of a soul, or the unity relation among person-stages, can be coherently held by a Nonreductionist to be a primitive and irreducible "further fact" which nevertheless admits of indeterminacy. However, Parfit may intend to stipulate that AN is included in what he counts as Nonreductionism. In any case, we should assume that Parfit is right about the relation of Nonreductionism to AN, in order to see whether this whole metaphysical view supports the suggested conclusion about the moral status of abortion.

With this background we are in a position to assess Parfit's argument linking the Nonreductionist view of personal identity to a conservative conclusion about the moral status of abortion. It is worth quoting in full:

There are many ... ways in which, if we have changed our view about personal identity, this may justify a change in our moral views. One example is our view about the morality of abortion. On the Non-Reductionist view, our existence is all-or-nothing.

<sup>2</sup> A momentary person-stage is a temporal part of a person, the most inclusive part of the person that exists just for one moment. Though Parfit does not explicitly refer to person-stages, they harmlessly help to give a succinct characterization of the two approaches.

<sup>3</sup> This is a compressed summary of a complex metaphysical issue. Parfit (1984, Chs.10–1) sets out and compares these two approaches at length.

There must be a moment when I started to exist. . . . [T]here must be a sharp borderline. It is implausible to claim that this borderline is birth. Nor can any line be plausibly drawn during pregnancy. We may thus be led to the view that I started to exist at the moment of conception. We may claim that this is the moment when my life began. And, on the Non-Reductionist view, it is a *deep* truth that all the parts of my life are *equally* parts of my life. I was as much me even when my life had only just started. Killing me at this time is, straightforwardly, killing an innocent person. If this is what we believe, we shall plausibly claim that all induced abortions are morally wrong, except those that save the mother's life. (Parfit 1984, pp. 321–2)

The reasoning in this passage can be reconstructed as a sequence of two inferences, where the conclusion of the first is a premise of the second:<sup>4</sup>

- P1 If Nonreductionism is true, then AN is true.
- P2 If AN is true, each person begins existence as a fertilized human egg.
- P3 If Nonreductionism is true, then each part of a person *S*'s life is as much part of *S*'s life as any other part of *S*'s life.
- C1 If Nonreductionism is true, then each person *S* has a life at conception which is as much part of *S*'s life as is any other part of *S*'s life.
- P4 If each person *S* has a life at conception which is as much part of *S*'s life as any other, then killing any fertilized human egg at conception is killing an innocent person.
- P5 Killing an innocent person is morally wrong except to save some person's life.
- C2 If Nonreductionism is true, then killing any fertilized human egg is morally wrong, except to save some person's life.

Taking for granted the metaphysical premises 1 and 3, we shall see that the three other assumptions in this reasoning need support, and this is not

<sup>4</sup> Parfit's use here of expressions such as "may justify" and "we may be led" make it clear that he does not intend the arguments to be compelling. He also notes that the two sides may have room to make mitigating distinctions (Parfit 1984, p.322). But he does portray each of the two sharply differing moral conclusions as being rendered more plausible by its associated view of personal identity.

Parfit's precise intentions for the arguments are not a primary focus here. Their main purpose is to illustrate the unimportance of metaphysics in defense of the moral conclusions. For this purpose it is harmless to use a deductively valid argument to formulate a support relationship that is suggested by Parfit, whatever strength of support he intends finally to advocate. Any weakness in the epistemic support for the conclusion will show up as weakness in the credibility of one or more of the premises, singly or in combination. Since the support is not supposed to be conclusive, some room for doubt is to be expected. Again, the position defended here is that the metaphysics provides no support at all for the moral view that is associated with it.

supplied by the metaphysics of Nonreductionism and ordinary empirical facts.<sup>5</sup> It is this other support that would decide the issues raised by this argument about the moral status of abortion. Nonreductionism and AN do not make any moral difference.

AN has no manifest moral force. It just excludes indeterminacy about the earlier and later existence of a person. This does not limit what manner of thing a person might be, beyond barring us from the ranks of the essentially indeterminate. So it would be surprising if AN imposed any substantial constraint on how it is moral to treat a person. No such surprise emerges.

One sort of doubt about the claim made by premise 2—the claim that AN implies that persons begin their existence at conception—is a doubt arising from the classic Nonreductionist view. The classic view is that each person is an immaterial soul whose existence is all-or-nothing. This gives us no reason to think that a person's existence begins at conception even assuming, as Parfit suggests, that conception is the most plausible time to locate the start of our body's existence. A soul might exist before the body that it acquires comes into being, or a soul might arise only well into a pregnancy, perhaps just in time to instantiate the initial psychological traits of the person. Both of these alternatives accommodate within a soul theory the facts of gradual fetal development cited by Parfit. Yet either way, contrary to premise 2, persons do not begin their existence as fertilized eggs. Thus, the classic Nonreductionist position undercuts the credibility of a premise in this argument. Clearly the argument is not one to which Nonreductionists in general are committed.

The soul view is far from the only source of doubts to be overcome before the conservative moral conclusion C2 is well defended by the argument. The most distinctive problems arise from other quarters and concern premises 4 and 5. Let us make a metaphysical assumption which is entirely congenial to Parfit's view of this argument. Let us assume that we begin our existence as fertilized human eggs. This is of no assistance in justifying the conclusion. A joint defense of premises 4 and 5 remains thoroughly problematic. It must be argued that a thing such as we are assuming that we are, a thing that starts out as a fertilized egg, is a person from the start of its existence.<sup>6</sup> That is the claim made by premise 4. This

<sup>5</sup>The consequent of premise 3 seems undeniable on any credible antecedent hypothesis. It says only that each part of a person's life is equally part of the person's life. Parfit contends that Nonreductionists are committed to this being a "deep truth". For present purposes we need not attempt to evaluate that contention. We can assume that Nonreductionists are committed to its being as deep a truth as any. This allows us to pursue our question concerning the moral impact of any such metaphysical assumption.

<sup>6</sup>Parfit (1984, p.322) himself notes that this might be denied. He does not note the great extent to which a reasonable denial shows weakness in the argued connection between Nonreductionism and the associated conclusion about abortion.

must be argued in a sense of “person” that will allow a simultaneous defense of the moral ban on killing innocent persons that is asserted by premise 5. Defending this combination of claims is a formidable task. Nonreductionism does nothing to facilitate it.

Considerations favouring premise 5 locate a high level of moral significance in personhood. Philosophers do sometimes hold that being a person requires having various features that have clear moral importance, such as knowing of one’s own continuing existence or planning for one’s future. For an extreme instance we can consult the following from S. I. Benn:

I characterize a person ... as someone aware of himself, not just as a process or a happening, but as agent, as making decisions that make a difference to the way the world goes, as having projects that constitute certain existing states as “important” or “unimportant”, as capable, therefore, of assessing his own performances as successful or unsuccessful. (Benn 1973, pp. 99–100)

These requirements of taking oneself to make decisions that make a difference and so forth are formidable conditions to have to meet in order to be a person. Defending anything like Benn’s demanding conception of personhood would go a long way toward defending premise 5. Clearly though, if such cognitive accomplishments are required in order to be a person, then a fertilized human egg does not meet the requirements. Premise 4 would not be worthy of belief, since it asserts that to kill a fertilized human egg is to kill a person (assuming, as we are, that the life of a fertilized human egg is an equal part of the life of one who later would be indisputably a person).

In contrast, if nothing like Benn’s conditions is necessary and personhood is something that any fertilized human egg exemplifies, then premise 4 would be reasonable enough. But on this hypothesis, defending premise 5 would require very substantial further argument. Aside from the potential of fertilized human eggs to grow into mature human beings, they do not differ morally from any other single human cell. It is definitely not plausible that the life of some person must be at stake in order for it to be morally permissible to kill any single human cell. It is clearly morally acceptable to kill numerous human cells, just to get a clean shave.

Of course there is that enormous difference in developmental potential. And of course the moral significance of this potential is a large issue in the abortion debate. But this significance is not an issue on which a philosopher is at all rationally predisposed one way or the other, just by being a Nonreductionist. The characteristic Nonreductionist view that personal identity is determined by something beyond the Reductionists’ psychophysical connections allows a philosopher quite reasonably to maintain that the sheer potential to develop so as eventually to live a mature human

life has no moral significance. A Nonreductionist might hold that identity through time is irreducible in all cases of enduring substances, from protons to people. This indicates nothing about how moral worth can increase with maturation. Nonreductionists are entirely free to assert that the irreducible all-or-nothing existence of a person is accompanied by a drastic increase in the value of what the person comes to be. This can be claimed on various credible grounds. For instance, it can be credibly held that although merely exemplifying the right potential is enough to initiate the existence of a person, what adds significant moral value to the existence of a person are certain psychological attainments. Credible candidates include experiencing feelings, desiring, thinking, choosing, being self-conscious, and being rational.

This sort of view of what is morally crucial fits no worse with Nonreductionism than it does with Reductionism. The Nonreductionist's postulation of a "further fact" brings with it no suggestion that such a fact has any particular moral significance.

There is no need for any conclusive assessment of the premises in Parfit's argument linking Nonreductionism to a sweeping moral prohibition of abortion. We have already seen that defending the needed linking premises requires philosophical work entirely beyond Nonreductionism and AN. Whether or not our existence is all-or-nothing, conception is a sensible point to locate the beginning of the existence of human organisms.<sup>7</sup> It is reasonable to hold that we adult persons are identical to human organisms. But Nonreductionists can unproblematically affirm these things, whatever they go on to say about the moral status of abortions. The question of when a developing human organism is first a person remains wide open, as does the question of when it is morally wrong to kill an innocent human organism, person or not. These are the main contested questions about the fetus in the moral dispute about abortion. Nonreductionism about personal identity offers no assistance in answering them.

## *2.2. Elaborated nonreductionism*

It might be thought that Parfit tries to support a moral conclusion on too thin a metaphysical foundation. It might seem that judiciously adding more metaphysics would eventually make some moral difference. Let us look into this by considering an attempt to formulate some such elaboration of Nonreductionism. We shall see that this attempt fails in ways that look ineliminable.

The welfare of rational sentient beings always has considerable moral significance. So let us suppose that we are souls, that we begin to exist at conception, and that we are rational and sentient from the beginning of our

<sup>7</sup>A later beginning is required in cases of twinning where nothing determines that one twin began before the other.



existence. This sort of more detailed view might seem capable of doing at least some work in support of the conservative conclusion about abortion that Parfit seeks to rest on sheer Nonreductionism.<sup>8</sup>

Yet even granting this view, the moral issues about abortion are not materially advanced. The view leaves unanswered a question that it makes morally vital: What does the abortion of a fetus do to the soul that is associated with it? Perhaps abortion would free the soul to lead a perfectly good existence, unencumbered by fleshly constraints, or perhaps abortion would just delay when a particular soul gains a human life, or perhaps the soul would be damaged or destroyed in a fetal abortion, or . . . . The empirical facts of fetal development that are accessible to us cannot inform us about this. Yet in the absence of information about which sort of result would occur, reasonable belief about the moral status of abortion is not constrained.<sup>9</sup> The present soul view, in conjunction with the empirical facts, tells us nothing about the fate of a soul in an abortion. So even counting this psychologically elaborated soul view as pure metaphysics, and supplementing it with any defensible empirical assumptions, it does not constitute an example of metaphysical support for a moral conclusion about abortion.

Assuredly, still further claims can be added to this view until some moral impact is assured. For instance, it can be added that an abortion destroys the associated soul in an agonizing process. This too can be alleged to be pure metaphysics. It must be admitted that to concede all this would be to concede the existence of metaphysical doctrines that give some support to moral restrictions on abortion.<sup>10</sup>

This does not jeopardize our thesis. This elaborated soul view is not credible, and it does not resemble anything that has been seriously

<sup>8</sup> It is doubtful that this position is entirely metaphysical. The thesis that we are immaterial souls is a clear example of a noncontingent metaphysical claim. The two further claims that souls begin to exist at the moment of human conception, and that they have sentience and rationality right away, seem to be at most contingently true of souls, and entirely without empirical support. Claims attributing accidental qualities are not metaphysical. We have seen that the definitely metaphysical assertion that we are immaterial souls makes no moral headway. Since the rest of the present soul theory seems contingent and entirely unconfirmed, the view as a whole seems incapable of contributing to a tenable argument against the moral permissibility of abortions. We can assume that the whole elaborated soul view is a metaphysical proposition, however. Though this classification is implausible, it will be instructive to consider whether this whole view would support a morally restrictive conclusion about abortion.

<sup>9</sup> This is not to say that the identity of this sort of fact would be morally decisive. Factors such as the value of the consequences and the moral entitlements of the pregnant woman might nevertheless render permissible some abortions.

<sup>10</sup> Only some support must be conceded. See note 9 above for examples of further moral considerations to be taken into account before any definite moral status is implied.

defended by philosophers. Our thesis is that metaphysics of anything like the sort that has been adduced by philosophers in arguing for moral conclusions about abortion does no work in support of those conclusions.

Moreover, the genuinely metaphysical doctrine at the core of this elaborated view is the noncontingent ontological claim that we are souls. This claim is not making any distinctive contribution to the moral conclusion. The materialist view that a person begins existence as a purely physical fertilized egg can be assigned exactly the same moral force. This physical entity too can be asserted to be rational and asserted to undergo agony if it is destroyed by an early abortion. These assertions then provide the same hypothetical support for a moral objection to abortion. It does not matter whether the morally significant traits of rationality and suffering are attributed to a soul or to a zygote. We have no better evidence for the rationality or the suffering in either case. Both arguments depend on attributions for which there is no reasonable defense. Neither view of the nature of persons supports the moral conclusion better than the other. It is the assumed rationality and suffering that have the capacity to do some moral work, not any metaphysical claim about their bearers.

### *2.3. A moral conclusion from reductionism*

Now let us consider Parfit's parallel argument for the conclusion that a Reductionist view of personal identity supports the general permissibility of early abortions. Parfit writes

On the Reductionist View, we do not believe that at every moment I either do or don't exist. We can now deny that a fertilized ovum is a person or human being. ... [The] transition takes time, and is a matter of degree ... We can then plausibly take a different view about the morality of abortion. We can believe that there is nothing wrong with an early abortion, but that it would be seriously wrong to abort a child near the end of a pregnancy ... The cases in between can be treated as matters of degree. The fertilized ovum is not at first, but slowly becomes, a human being and a person. In the same way, the destruction of this organism is not at first but slowly becomes seriously wrong. (Parfit 1984, p. 322)

This allegation of support by Reductionism for a moral conclusion can be evaluated by considering the following rendition of the reasoning:<sup>11</sup>

P6 If Reductionism is true, then AN is not true.

P7 If AN is not true, then a fertilized human ovum comes gradually to be a person during fetal development.<sup>12</sup>

<sup>11</sup> Concerning the intended role of this reconstruction, see fn.4 above.

<sup>12</sup> In the cited passage Parfit mentions both the status person and the status human being in his reasoning. He does not distinguish morally between the two classifications. References to the category of human being will be dropped here.

- P8 If a fertilized human ovum comes gradually to be a person during fetal development, then taking its life early is morally permissible and, as it develops, taking its life comes gradually to be seriously morally wrong.
- C3 If Reductionism is true, then taking the life of a fertilized human ovum is morally permissible and, as the fetus develops, taking its life comes gradually to be seriously wrong.

This argument succeeds no better than the first in getting moral mileage out of metaphysics. We shall see that the nonmetaphysical premises 7 and 8 are open to reasonable challenges from diverse sources, and Reductionism does nothing to help to meet the challenges. Without these premises there is no indication of any rational link between Reductionism and the moral status of abortions.

The characteristic Reductionist denial of a “further fact” about personal identity has no implication about what makes some stages person-stages. An organism may have to mature before it begins to have stages that are connected in the ways that a Reductionist requires of stages of the same person, and it may outlast such stages. These things are clearly true, if human persons are organisms and the Reductionist’s connections relate only psychological states. Zygotes and brain-dead human organisms lack any psychological states to connect.

A position that qualifies equally as Reductionism asserts that entirely physiological connections make for the continued existence of the same person. Reductionists can hold, for instance, that the same person continues to exist just where there are organically continuous causal connections between stages of biological entities with the right DNA structure. This upholds the characteristically Reductionist denials of a “further fact” of identity and of an all-or-nothing status to a person’s continued existence. Reductionism thus allows a wide variety of views about necessary conditions for being a person.

This latitude makes trouble for premise 7, the premise asserting that the denial of the all-or-nothing status of the existence of a person implies that a fetus gradually becomes a person. It might be that the status of person is achieved right away by fertilized human eggs. For instance, a Reductionist can hold that zygotes have the requisite special genetic structure, the requisite special cognitive potential, or the like. If so, then the presence of the right potential would make the entity a person immediately at conception rather than gradually during fetal development. The denial of AN in the antecedent of premise 7 could still be true, and it might be true in part because of cases that arise during fetal development. There might be changes during gestation that leave no fact of the matter about whether the same person continues after the change, although there is definitely some person or other the whole time. Examples involving massive trauma dur-

ing fetal development that greatly alters the fetus's physical or psychological potential may be cases of this indeterminacy. If so, then the antecedent of premise 7 is true of these cases while its consequent is false.

Reductionism does not argue against the opposing possibility that human infants are not yet persons. Reductionism allows that a child becomes a person by achieving psychological accomplishments like those that S. I. Benn finds to be necessary. This does not clash in the least with the Reductionist position that certain psychological or physical magnitudes make for the continuing existence of persons once they have whatever it takes to begin existence, and the magnitudes do this in a way that allows indeterminacy.

Thus, modest and demanding views about what it takes to be a person fit equally well with Reductionism. This shows that premise 7 is not supported by the facts of gradual fetal development, a denial of AN, and the Reductionist assumption that personal identity is determined by magnitudes that may vary in degree during this development. The onset of personhood still may be sudden, and it still may not occur at all during gestation.

Defense of premise 8 is also not aided by Reductionism about personal identity. The premise tells us that if early fetuses are not persons, then their abortion is morally permissible. But for one thing, consequentialist moral views are not nullified by Reductionism, and in well known ways they make a critical difference to the final merits of premise 8. Assuming that an early fetus is not a person, consequentialist considerations still argue against the moral permissibility of some early abortions. If an early fetus would grow to become someone who would lead a sufficiently valuable existence, then on objective consequentialist grounds it would be seriously wrong to kill the fetus. Similarly, taking the life of a person, whether by abortion or otherwise, is not always seriously wrong in a consequentialist view. The killing of any being, however morally valuable that being is in itself, may happen to cause enough good or prevent enough harm to have a consequentialist justification. This also goes contrary to premise 8.

Consequentialists are not the only potential critics of premise 8. The premise is open to diverse moral criticisms that Reductionism does nothing to refute. Numerous properties can be suddenly acquired by one who gradually becomes a person. A considerable number can be reasonably held by nonconsequentialists to make it wrong to kill one who has them. Such characteristics include having various sorts of potential, having desires, being conscious, and being rational. One or another of these coincides with entry into each class of abortions that has been defensibly thought to be wrong. Reductionism is simply silent about the moral import of these changes.

On the other hand, Reductionists who endorse the permissibility of some cases of infanticide can attempt to make much of the fact that personhood may not imply possessing the full moral status that typical adult human beings have. Even if complex psychological states of the sort that S. I. Benn requires are not needed to be a person, it can be reasonably held that to kill a person who was never in any such state is not any more seriously wrong than to kill a nonhuman sentient creature who cannot be in them.

These considerations raise large moral issues. There is no need to resolve any of them here. We have seen that the metaphysics of Reductionism, including the denial of AN, do not begin to defend the moral thesis asserted by premise 8. Without premises 7 and 8 there is no link between Reductionism and the morality of abortion. In light of the extreme neutrality of Reductionism concerning the merits of these premises, there is no prospect of replacing them with any that are supported by Reductionism.

In sum, both Reductionism and Nonreductionism are equally congenial to the full range of moral positions in the abortion debate.

### *3. Personhood and annihilation*

A familiar step in moral reasoning about abortion is to draw a moral conclusion from an attribution of personhood or from a denial of personhood. Sometimes an explicitly normative notion of a person is employed, as when Michael Tooley (1979, p. 89) seeks a definition of persons that makes them “intrinsically wrong to destroy”. This presents no appearance of relying on metaphysics alone. In the cases of interest here the notion of personhood that is employed in the moral derivation is intended to be a purely metaphysical account of our nature. Roderick Chisholm offers us an important example of this latter sort.

Chisholm (1989a) contends that a metaphysician’s proper contributions to ethics consist largely in helping moral philosophers to avoid basing ethical conclusions on bad metaphysics. But Chisholm also asserts a version of a traditional metaphysical theory of persons, and from the theory he infers a moral conclusion. It is not directly about the moral status of any abortion. It is about what must also be permissible when abortion is permissible.

Chisholm writes:

Now, if we give the biologist and physiologist the term “human”, perhaps we have a right to use the term “person” for the sort of thing that you and I are . . . . We might say, for example, that a person is a thing such that it is physically possible (not contrary to the laws of nature) that there is a time at which that thing consciously thinks.

If we thus define a person—as that which is necessarily such that it is physically possible that there is a time at which it consciously thinks—then we cannot say that anything gradually becomes a person or gradually ceases to be a person ...

So where does this leave us with respect to the moral problems of causing someone to cease to be? Surely it is right, sometimes, to terminate a pregnancy ... . Doubtless such acts always call for an excuse. But let's not pretend that, when we perform them, probably we are not causing anyone to cease to be. Let's have the courage to face the moral facts of the matter: occasionally it is right for one person to annihilate another. (Chisholm, 1989a, pp. 59–60)

Chisholm thus proposes that “person” has the following analytic definition:

CD “*S* is a person” means that *S* is necessarily such that it is physically possible that there is a time when *S* consciously thinks.

CD participates in an important philosophical tradition about personhood. CD is a Cartesian account, modified to allow persons to exist while not thinking. According to CD, persons are essentially potential thinkers. Since the potentiality consists in being equipped to think without violating any natural law, no actual thinking is required.

As Chisholm contends, on this analysis the property of being a person cannot be a temporary property of anything. If an entity is ever necessarily a physically possible thinker, then that entity is always necessarily a physically possible thinker. An essential property cannot come or go during the course of a thing's existence.

This implication of CD that personhood is permanent may have led Chisholm to think that abortion must involve the annihilation of a person. In the cited passage Chisholm asserts that it is sometimes morally permissible to terminate a pregnancy, though such acts always call for an excuse. He then apparently infers from his account of personhood that, when a pregnancy termination is morally permissible, “it is right for one person to annihilate another”. Since by CD it is impossible for anything to outlast its personhood, killing a human fetus cannot be just ending its personhood. Chisholm may have taken it to follow that this killing must be the ending of a person's existence altogether.<sup>13</sup>

<sup>13</sup> Annihilating a person may differ in a morally significant way from killing a person. Annihilation excludes any physical possibility of restoring the same person to life, while killing does not. Annihilation also excludes any possibility of continued existence in an afterlife or by reincarnation. (It will be seen below that Chisholm's own physicalist view of what a person is allows a very close analogue to reincarnation.) So counting the killing of a person as an annihilation is of some moral moment and not just a matter of a metaphysical classification of what results from the death. Chisholm may have in mind this potentially greater moral significance of annihilation when he recommends in the citation that we have “the courage to face the fact” that annihilating a person is occasionally permissible.

To assess this reasoning we need to investigate CD's extension. It is not clear which actual individuals, if any, satisfy the defining conditions of CD. All of us consciously think, and we do so without breaking any laws of nature. It may be that we are not necessarily physically possible thinkers, however. This depends on our metaphysical constitution.

Suppose that each of us is an immaterial soul. This supposition makes it plausible that we are necessarily physically possible thinkers. In any circumstances where an immaterial soul is physically possible at all, it seems that there would be nothing physically impossible about the soul doing some thinking. A physical thing might need physical equipment to think. Perhaps a physical thing that has such equipment could have been physically necessitated not to have it. CD then implies that it is no person. These matters would be different for immaterial souls. They could not be prevented by natural law from thinking, assuming the traditional view that souls do not need any natural equipment to think.

Thus, if we are souls, then it is plausible that we are persons according to CD. But if we are souls, then the conclusion that a pregnancy termination annihilates a person is unwarranted. There is no good reason to think that the removal and destruction of a fetus puts any immaterial soul out of existence. It may be that no soul is associated with the fetus at the time of an abortion. It may be that the destruction of a fetus with an associated soul just disembodies the soul. Thus, the soul view entirely undermines the inference from CD to the conclusion that persons are annihilated in abortions.

Chisholm himself is a physicalist about what we are. Nevertheless it turns out that the preceding difficulty for the inference applies as well to what Chisholm does count as a person. Chisholm argues for a remarkable view: that each person is a microscopic physical thing which is within a human brain, at least while the person is thinking. According to Chisholm, a person is a tiny thing that neither gains nor loses any part during its existence (Chisholm, 1989b, especially pp. 124–7). He knows that this view is strange and offers serious argument for it. In brief, he argues that the view best accommodates three separately defensible propositions: that we are material entities, that mereological essentialism is the best solution to paradoxes about the continuing existence of material entities, and that we know ourselves to have existed for many years. This is not a position to be lightly dismissed.

If a person is some microscopic physical thing, then again there is no good reason to think that any abortion annihilates a person. The fetus is destroyed, but the tiny thing may persist among the remains. Chisholm holds that the tiny thing that is a person thinks by using the brain that it is in. So, without a working brain in which to reside, it would lack the equip-

ment to think. But for all that we can tell and for all that CD implies, it may persist without thinking. Destroying a fetus is not ipso facto destroying a person. Perhaps the same entity can take up life in a new human body, thus enjoying a purely physical kind of reincarnation. Also, as with the soul view, it may be that the tiny entity that is a person enters into association with a fetus in the course of its development. If so, then earlier abortions would not even destroy a fetus in which a person is present, much less annihilate a person.

Let us now consider a standard materialist view of persons. Let us suppose that we are organisms of the species *homo sapiens*. If this is what we are, does CD count us as persons? Since we actually and nonmiraculously consciously think, it follows that it is physically possible for human organisms to consciously think. Is this thinking necessarily physically possible? Perhaps the same entity that is in fact a human organism could have existed where the laws of nature precluded its having the capacity for thought. Difficult questions arise about the possible variations in the conditions under which actual organic entities could have existed. The application of CD to human organisms depends on particular answers to questions of this sort.

However it will be informative to set aside these questions and assume that humans do qualify as persons by CD. Assuming this, we have existed as long as the organisms that we are have existed. A late-term human fetus is clearly the same organism as the developed adult member of our species. So on these assumptions the abortion of such a human fetus kills a person.

It remains entirely open to deny that such an abortion is an annihilation of a person. In one defensible sort of view of the continued existence of an organic being, the entity that was a fetus typically continues to exist after it dies. The entity that was alive is killed. As it typically changes following its death, it ceases to be a fetus, it disintegrates, and its remains scatter. The same material entity that was a fetus persists through at least part of this postmortem process.

An extreme version of this sort of view holds that any material thing continues to exist as long as all of its constituent parts exist.<sup>14</sup> More moderate versions hold that an entity like a fetus can persist as a dead body until it disintegrates to one extent or another. If so, then for a time the restoration of the same individual to life may be subject only to practical and technological limits. In any such view, an abortion that involves a fetus who is a person is the killing of a person but not the annihilation of a person. Thus, even assuming that every human organism is a person, killing

<sup>14</sup> Chisholm (1976) himself endorses mereological essentialism. Again though, in his view persons are tiny things, not whole human organisms.



of such a fetus is the annihilation of a person only if every such view of the persistence of material things is incorrect.

Furthermore, the approach to personhood exemplified by CD is not needed to link abortion to annihilation. For instance, suppose that personhood is a contingent property that organic beings gain when they come to possess certain psychological capacities. Still, if the metaphysical fact is that any organic being ceases to exist when its life permanently ends, then destroying a fetus who has acquired the requisite capacities annihilates a person.

CD tells us nothing about what might morally justify annihilating a person, and it tells us nothing morally distinctive about the subject of annihilation. CD has it that when a person is annihilated, what is removed from existence is essentially a potential thinker. This conveys no suggestion of when, if ever, it is morally permissible to bring about specifically the annihilation of a person. Many moral issues arise. A central pertinent fact, however, is that we require information about what can morally justify annihilation in particular, as opposed to various more or less permanent incapacitations, perhaps including killing or disembodiment. The claim of CD concerning the metaphysical nature of what is annihilated is simply silent about this. Rival metaphysical views claiming persons to be potential thinkers, but contingently so, also say nothing about moral justification specifically for annihilating a person, and they seem to make the subject of the annihilation something with the same moral significance. Being a potential thinker may well matter morally, but that the same entity could have existed without the potential seems morally irrelevant.

In sum, CD does not have the relevance to the morality of annihilation that Chisholm claims for it. In general, the metaphysical nature of persons offers no assistance on this issue.

#### *4. Becoming an actual human being*

Warren Quinn turns to metaphysics for help in accounting for three plausible judgments about the moral status of abortion. He argues for the special utility of a particular view of coming into being.

Here are the three judgments about abortion that Quinn seeks to account for:

1. [E]ven a very early abortion stands in need of moral justification in a way that the surgical removal of a mere mass of tissue does not.

2. [A]bortion ... before all the organ systems of the fetus are complete is not morally equivalent either to the killing of an adult or the killing of an infant.
3. As pregnancy progresses abortion becomes increasingly problematic from the moral point of view. (Quinn, 1984, p. 25)

Quinn sketches two metaphysical positions concerning what is involved in becoming a human being,<sup>15</sup> and he succinctly describes the main kinds of moral considerations that he takes to apply to abortion. He argues that one of the two metaphysical positions provides for a better explanation of the third of his intuitive moral judgments than does the other.

The two metaphysical views concern how an entity becomes a member of a kind, such as house, or human being. The first view—the stage theory—applies to human development as follows. A single living entity, a human organism, continues to exist from conception until death. At some point during fetal development, perhaps when all major organs are completely formed, the organism enters all at once into the category human being. This status as a human being is an instantaneously begun stage in the continuing life of the human organism.

The other metaphysical view of becoming a human being is the process theory. In this view, there is no one moment when a human being begins to exist or a pre-existing entity becomes a human being. Rather, a human being comes into existence gradually in the course of fetal development. Quinn observes that it is natural to attribute gradual entry into existence to many sorts of things, such as houses. As a house is being built, we naturally say that there is a “house under construction”. In the process view, this is an incompletely realized house, a partially actual house (Quinn, 1984, p. 38).<sup>16</sup> It is not a hazy or indeterminate entity. It has what Quinn calls “full empirical reality” (Quinn 1984, p. 39). It is a fully real assemblage of boards, cinder blocks, pipes, wires, or the like. But this object, for which the sortal “house”, Quinn says, “best indicates the kind of thing it is”, is incompletely realized (Quinn 1984, p. 39).

The process theory allows us to say that during gestation fetuses are partially actual human beings—human beings “in the making” (Quinn 1984, p. 39). They are full-fledged fetuses, but not fully real human beings.<sup>17</sup>

<sup>15</sup> Quinn (1984, p. 24) explicitly adopts “human being” rather than “person” as his standard way to refer to us.

<sup>16</sup> The process theory is of doubtful coherence (see note 17 below). Quotations from the theory’s description by Quinn are the most trustworthy way to convey what he has in mind. This is the reason for the numerous quotes here and immediately below.

<sup>17</sup> Although this process theory is a natural way to represent the ontology of some ordinary judgments about coming into being, Quinn acknowledges that it is a problematic metaphysics. He concedes that “logic may have to be complicated” to accommodate its implications (Quinn 1984, p. 36).

To account for his three intuitive judgments about abortion, Quinn applies these metaphysical theories in conjunction with a general moral outlook. It is a perspective on morality that divides moral considerations into the sphere of justice—"the morality of respect"—and the sphere of benevolence—"the morality of humanity" (Quinn 1984, p. 50).<sup>18</sup> Broadly speaking, considerations of respect pertain to the will of others; considerations of benevolence pertain to the well-being of others. Quinn thinks that considerations of respect do not apply to fetuses or infants, because they do not "have any wills to contravene" (Quinn 1984, p. 51). Fetuses and infants do fall under the morality of humanity. A fetus has a "... right that its future welfare count for something .... To the extent that the human being already exists it is susceptible to the loss of future life and its rights under humanity come into play". (Quinn 1984, p. 53)

Quinn takes the stage theory and the process theory to have differing success in accommodating his third intuitive judgment, which asserts that abortions are increasingly morally problematic as gestation proceeds. Quinn maintains that according to the process theory the fetus, while it is a human being in the making, already has "some claim to be a human being". Abortion of it "therefore falls under the part of humane morality that looks after the welfare of human beings, or at least that special part of it that treats the transitions in the course of which human beings move into or out of existence" (Quinn 1984, p. 53). This part of morality gives humane considerations increased "binding force" on some dimensions on which the affected individual is "nearer" to us (Quinn, 1984, p. 54). The process theory allows us to say that the fetus gradually becomes a fully real human being like us. So the claim that fetuses are already "to some extent one of us", in combination with part of the morality of humanity, tells us that the loss of a fetus matters to the increasing extent that the fetus is actually one of us. In Quinn's words:

For if, as I have already indicated, the morally binding force of humane considerations varies according to various dimensions in which the object affected is nearer or further from us, the fact that the fetus is to some extent already a human being, already to some extent one of us, can only make its loss, however qualified, count for more. And as the fetus becomes more fully human the seriousness of aborting it will approach that of infanticide. In this way the process theory, unlike the stage theory, validates the third moral intuition that later abortions are more objectionable than earlier ones. (Quinn 1984, pp. 53–4)

<sup>18</sup> Benevolence does not seem to be best classed as a consideration of "humanity". Though Quinn does not explain the classification, perhaps humanity is supposed to furnish a justification for benevolence—kindred human beings are like us in a way that makes their welfare our concern. Nevertheless, nonhuman sentient life also seems to qualify for morally justifiable benevolence.

In this case too the metaphysics turns out to make no moral difference. What serves largely to account for Quinn's third judgment is the moral principle he offers to the effect that being nearer to us in some appropriate dimension gives the well-being of an entity a stronger moral claim on us. The work done by the metaphysics of becoming a human being is just to supply a candidate dimension.

The process theory provides for a gradual increase in the reality of a human being. Quinn champions this as a suitable dimension. It is obscure, and the resulting instance of the moral principle about nearness to us is contestable. Most importantly for our purposes, the process theory's candidate dimension is by no means uniquely suitable for engaging the moral principle. The stage view can provide for other dimensions that are at least equally good. The instantaneous entry into the class of human beings to which a stage theorist is committed is consistent with the gradual acquisition of a necessary condition. For example, a stage theorist can credibly hold that becoming a human being requires gaining some sufficiently developed human organic structure. This sets the stage for the claim that the more nearly complete is the organic development of a pre-human fetus, the nearer it is to us in a morally significant dimension pertaining to our humanity. Such an instance of the moral principle about nearness to us is no less plausible than the one about the increasing reality of a human being. The two instances rely on the same empirical facts of fetal development. Whether those facts constitute a reality increase or a growth toward humanity is irrelevant to its being a dimension along which fetuses become like human adults in a morally significant way.

Furthermore, the moral principle need not be engaged by something that makes for entry into the kind human being. The morality of humanity is supposed to consist in considerations of benevolence, presumably those based on a sort of kinship. Some maturity may well be required for the emergence of all about our humanity that justifies benevolence. Assuming that a zygote is immediately a human being, still, various psychological capacities that are acquired and enhanced through neural differentiation and maturation are reasonably thought to be morally significant aspects of our humanity. So a proponent of the stage view can reasonably assert that this development is a morally significant magnitude along which the fetus comes to be nearer to us by possessing something closer to the grounds for benevolence that are exemplified by mature human beings.

Again we have a kind of nearness to instantiate Quinn's moral principle which is at least as plausible as the instance he advocates. This time, the nature of the event or process by which we become a human being is not

even relevant. The metaphysics of the beginning of human existence clearly makes no moral difference.

## 5. *Valuable futures and fusions*

Don Marquis (1989) does not argue to a moral conclusion from a metaphysical premise; rather, he applies to abortion a moral principle that is supposed to explain what makes killing any adult human being *prima facie* seriously wrong.<sup>19</sup> As he defends the moral principle against a serious objection, a metaphysical thesis comes to the fore. A successful defense of his principle appears to turn on the truth of one sort of mereological view. We shall see that this is only an appearance.

### 5.1. *Marquis's position and the crucial objection*

Marquis's clearest formulation of his moral principle is this:

MP "[T]he *prima facie* wrong-making feature of a killing is the loss to the victim of the value of its future ..." (Marquis 1989, p. 192)

To be killed is to lose the future that one would have had if not then killed. Marquis assumes that in the case of the killing of an adult human being usually the lost future would have had positive value (Marquis 1989, p. 197).<sup>20</sup> According to MP, the loss to the victim of that value makes the killing *prima facie* wrong.

<sup>19</sup> Marquis does not make it clear precisely what moral status he is attributing to abortions. His evaluative phrases include "*prima facie* seriously wrong" (Marquis 1989, p. 190), "seriously *prima facie* wrong" (Marquis 1989, p. 191), "strong presumption [of] ... moral impermissibility" and "sufficient ... condition for the wrongness of killing" (Marquis 1989, p. 195), "primary wrong-making feature of a killing" (Marquis 1989, p. 192), and finally "presumptively very seriously wrong" (Marquis 1989, p. 194). These are not equivalent, and Marquis never says which he is officially defending. The closest he comes to stating a unifying conception is to say that he is arguing that "... abortion is presumptively very seriously wrong, where the presumption is very strong—as strong as the presumption that killing another adult human being is wrong" (Marquis 1989, p. 194).

Given this last passage and the paper's title, "Why Abortion Is Immoral", the evaluation that Marquis intends seems best understood to be this: as morally bad as the unexcused killing of an adult human being, unless excused by something that would excuse the killing of an adult. Use here of Marquis's phrases "*prima facie* seriously wrong" and the like should be taken to express that moral status.

It may result in the loss of two or more such futures, when there would have been multiple births if not for contraception. Many more valuable human futures are lost as well, if all of the lost progeny are also taken into account.

<sup>20</sup> MP suggests the further principle that the moral heinousness of a killing is proportional to the net positive value in the future of which the victim is thereby deprived. Jeff McMahan (1995) poses objections to this further principle.

Marquis draws a moral conclusion about abortion by applying MP to fetuses. He reasons:

The future of the standard fetus includes a set of experiences, projects, activities, and such which are identical with the future of adult human beings . . . . Since the reason that is sufficient to explain why it is wrong to kill human beings after the time of birth also applies to fetuses, it follows that abortion is *prima facie* seriously wrong. (Marquis 1989, p. 192)

That is Marquis's central argument. A metaphysical point appears to become pivotal in his response to an objection. The objection begins with the observation that MP seems to attribute to contraception the same moral status that it attributes to abortion. Practising contraception also seems frequently to result in the loss of a valuable human future.<sup>21</sup> So it seems that according to MP contraception is equally seriously wrong, at least on those occasions when it prevents a pregnancy. Marquis (1989, p. 201) acknowledges that such an implication would pose a difficulty for his moral analysis of abortion.

He replies to this objection by claiming that MP would apply to contraception only if as a result of it "... something were denied a human future of value" (Marquis 1989, p. 201). He argues that contraception does not do this. The candidates for being subject to this denial are a sperm, an ovum, a sperm and an ovum separately, and the combination of a sperm and an ovum. The first two are intolerably arbitrary. There is no good answer to the question of why it is the one gamete and not the other that is denied the life. The third candidate implies that too many valuable futures are lost. The sperm does not lose one valuable future and the ovum another. There is at most one valuable future lost per sperm and egg pair.

The first three candidates are thus reasonably eliminated. Marquis denies that the phrase "the combination of sperm and ovum" denotes anything (Marquis 1989, p. 201). He points out that millions of combinations of a sperm and an ovum are possible at the time of contraception. He concludes that this fourth alternative "does not yield an actual subject of harm either" (Marquis 1989, p. 202).

There is an effective reply to Marquis's criticism of the fourth alternative. It can be agreed that the simple noun phrase "the combination of sperm and ovum" does lack denotation, even in a context where a particular event of contraception is in question. The phrase on its own leaves unanswered the question: which combination? But still, the following definite description may denote in the context: "the combination of the sperm and ovum that would have been united, had contraception not been prac-

<sup>21</sup> It may result in the loss of two or more such futures, when there would have been multiple births if not for contraception. Many more valuable human futures are lost as well, if all of the lost progeny are also taken into account.

ticed in this instance”. There may be a particular sperm and egg that definitely would have been the ones. Their combination is a reasonable candidate for being the subject that is deprived by contraception of a valuable human future.

The denotation conditions for this description are debatable. Marquis might deny that in typical cases there would be anything determining which particular sperm would have united with the ovum had contraception not been practiced. He might infer from this lack of determination that the definite description has no denotation.

It would be untenable to deny that there is, at least on occasion, some one sperm that would have fertilized the ovum, had contraception not been practiced. Denying this is as unreasonable as denying that there is ever a fact about who would have won a given race if it had not been called off.

This concession would not render the objection conclusive. Marquis could concede that sometimes there is a unique sperm that would have united with the egg, and still deny that the description denotes anything. He could base the denial on a new purely metaphysical ground. He could defensibly hold that, prior to an actual union, there is no entity that already is “the combination” of the would-be-winning sperm and the ovum. Rather, the sperm and the ovum are two separate things, and not also parts of one thing. Universalists about wholes and parts would oppose this. They hold that two material things always have a mereological fusion.

### *5.2. The moral significance of the metaphysics of fusions*

It may appear that we have a case in which the moral status of many abortions turns on the resolution of this purely ontological issue. But actually nothing of moral significance turns on answering the question of whether the sperm and ovum have a fusion. Suppose that they do not. We shall see that this does not make room for a moral distinction that can advance the debate.

The assumption that separate gametes are not proper parts of a single thing does not alter the nearly complete identity of powers and prospects of the gametes and of the zygote resulting from their union. Alistair Norcross coins the intransitive verb “to deprave” (Norcross 1990, p. 273). This means “to act in such a way that some stuff, which otherwise would have interacted in such a way that a thing with a valuable future would have resulted, does not interact”. The impact on the rest of the world of the depriving in question and a maximally similar depraving would be virtually the same. The same life of the same person would be prevented. Abortions immediately following conception are killings. But what is killed is a single cell. No endeavors are terminated, no plans unfulfilled. In these ways the abortion is just like a depraving.

The potential for the same human being to develop and to have the same life is present before the gametes unite. So a moral distinction between depriving a zygote and a maximally similar depraving cannot be defended by appealing to what is lost. Rather, any justification of such a distinction would have to rely on: (a) the specific form that the potential takes, (b) the number of bearers of the potential, or (c) something intrinsic to a bearer of the potential. Nothing in (a)–(c) is a plausible basis for a significant moral difference. In the case of (a), the comparison is between the monadic property of potentially having a valuable life, and the relation of *X* and *Y* potentially uniting to form something that potentially has the life. This is an austere structural difference between properties of no visible moral significance. Likewise, the quantity of the bearers—one versus two—seems to be a morally inert numerical fact. As for (c), the intrinsic qualities of the bearers, aside from the potential that each has or shares in, each of them—zygote, sperm, and egg—seems as morally unimportant as any typical human cell.

The only property of either the depriving or the depraving with any appearance of moral substance is the elimination of a valuable future life. Yet the same life is eliminated by a contraception and a maximally similar abortion. The metaphysical denial that the gametes compose a single thing thus fails to provide for a difference of any apparent moral import. If this is all correct, then there is no good basis to defend MP against the objection that it allows no adequate moral distinction between contraception and killing an adult human being. Thus, even assuming the metaphysics most favorable to Marquis's position on this point, MP looks indefensible.<sup>22</sup>

This disputes the credibility of MP. The unimportance of metaphysics to Marquis's sort of argument does not depend on the merits of this sort of objection to MP. We can set it aside. Let us also make the metaphysical suppositions that are optimal for Marquis's argument.<sup>23</sup> Still, the moral consequence that Marquis infers can be shown not to be rendered more rea-

<sup>22</sup> This is Norcross's conclusion as well, though he bears no responsibility for this way of arguing for it.

<sup>23</sup> The applicability of MP to abortions, and not to contraception, is not settled by just the comparatively modest metaphysics requisite to denying that would-be gametes have a fusion. If a zygote "develops into" a human being with a valuable future, but is not identical to the human being, then MP does not apply to the zygote. The valuable future of the mature human being is then not the zygote's future. Likewise, if the bearer of the valuable future is a soul that comes to be associated with a human organism, then abortion of the organism may not deprive the soul of a valuable future. These possibilities should not detain us, though. Our purpose is to see whether a moral evaluation is supported by any reasonably defensible metaphysical position about the existence or nature of the entities that might be aborted. So we should assume that a zygote is identical to the mature human being (when the zygote lives long enough). We should also assume that a person is a human organism, not an immaterial soul.



sonable by this metaphysics working with MP. The applicability of MP to typical abortions remains quite doubtful. Finally, even setting this new doubt aside, reasonable variants of MP exist that differ sharply in cases of abortion.

First we shall see that in the sense in which MP is most plausible, it does not apply to pre-viable fetuses in unwanted pregnancies. The possessive in MP's formulation needs spelling out. The plausible sense in which it is *prima facie* seriously wrong to deprive an adult human being of the value of "the individual's future life", is the sense of depriving the adult of the value that would occur in a continuing life to which he or she is morally entitled. We can make this explicit by replacing the possessive in this description with an explicit expression of entitling conditions in a description of what is deprived: "the future life that the individual can continue to live by permissible means either on his or her own or with the willing help of others". It is this sort of moral status of a victim's future that clearly makes killing the victim a *prima facie* seriously wrong deprivation, because it is in this sort of case that the victim clearly has a moral claim on a future life and therefore is in a position to have it wrongly taken away.

For most of us, being so deprived would virtually always coincide with being deprived of our lives, period, since we can permissibly sustain our lives on our own or with others willing help. However, on occasions when one of us does need a particular person's help to stay alive—for instance, if someone needs a kidney from a unique potential donor with matching tissue—it is quite reasonable to deny that withholding the help has the wrong-making feature of typical killings. The help may not be owed, the burden of helping may be great, the potential donor may have other conflicting responsibilities, and it may not be otherwise morally worthwhile to fulfill this need. The moral status of such a denial is relevantly analogous to that of withholding an act of charity. It is always morally challenging, but at times the challenge can be met. So the status of this denial is not what Marquis calls "*prima facie* seriously wrong", where this means wrong to the extent, and for the reason, that killing an adult is typically wrong.<sup>24</sup> The moral status of denying a future to which the one denied is not entitled depends on further considerations involving the relationships and the commitments between the two, the burden of any help required in order to avoid the denial, the merits and prospects of the one whose life would be continued, and the effect of giving the help on the helper's future alternatives.

In contrast, it is clear that bringing about someone's death is wrong to the extent that killing adults is typically wrong, and it is wrong for an iden-

<sup>24</sup>This interpretation is defended in fn.20 above.

tical reason, when the person killed can permissibly sustain a continued existence or have it permissibly and voluntarily sustained by others. Thus, the wrong-making feature of killing an adult that Marquis describes as “the loss by the victim of the value of its future” is best understood to be this loss of the value of a future that could have been sustained permissibly by the victim or on the victim’s behalf by others’ willing efforts.<sup>25</sup>

MP on this reading applies to few abortions. In order to continue to live, a pre-viable fetus needs the help of the pregnant woman. So MP may not apply to such a fetus, since the pregnant woman may not be willing to provide this help. If she is unwilling, then MP does not apply to the abortion because the fetus lacks the morally relevant relation to its future life. MP does not fault any such abortion.

### *5.3. The moral plasticity of the idea behind MP*

Finally concerning MP, let us set aside this objection. Let us grant that there is some credible reading of the “loss” of a future in MP on which anything’s being prevented from having the future entails its undergoing the relevant loss. Let us continue to assume the metaphysics that is best for MP, and thus assume that the human being who can undergo this loss comes into existence at conception. Let us also assume that MP is on the right track about what typically makes killing adults wrong. That is, let us assume that this loss of a future is the central fact in a proper account.

Still, there are rival principles to MP of at least equal credibility that have nearly the same moral implications, except in cases of abortion. For instance, comparably credible principles have it that the wrong-making feature of typical killings of adults is the loss of a valuable future by something that not merely exists, as MP would have it, but also feels, or desires, or prepares for a future. Since killings of adults are almost always killings of beings who have feelings and desires, and who prepare for a future, any of these rival principles counts wrong approximately the same adult killings as does MP.

These other principles can be given reasonable defenses. It can be maintained that a typical adult killing is wrong, not because it is a mere prevention of a valuable future, as MP would have it, but rather because it is a deprivation of that future. It can be held that for an entity to be deprived of a future requires that the entity have a psychology that includes some suitably future-directed disposition. It can be claimed that

<sup>25</sup> I am here relying on something much like Judith Jarvis Thomson’s (1971) thinking about factors that can determine the moral status of abortion. Walter Sinnott-Armstrong (forthcoming) makes a similar objection to what he identifies as Marquis’s moral principle, arguing that Marquis’s case succeeds only if the fetus has a moral right to a valuable future, and Marquis does not defend the view that it does. The preceding criticism of Marquis’s use of MP adds reason to doubt that any such right would be ordinarily possessed by a fetus.

only those who have feelings, or perhaps desires, or perhaps intentions, actually have some definite stake in their futures. Each of these properties can be sensibly argued to be crucial. Clearly these variants of MP permit abortion in variously extensive situations.

Once again we confront a dispute that we need not resolve for present purposes. We have seen that making all subsidiary assumptions favorable to Marquis's position does not materially advance the issue about the moral status of abortions. Assuming the metaphysics friendliest to MP, and assuming that MP is on the right track about what typically makes it wrong to kill adults, the metaphysics still does not support the specific moral conclusions of MP itself. The dispute can go on as before, with each position no less reasonable. Assuming that MP is correct that it is the loss of a valuable future that make typical adult killings wrong, the question remains: What property makes killing one who possesses it wrong for the reason that killing adults is typically wrong? Widely differing defensible answers are available. They yield principles resembling MP that classify as impermissible widely differing classes of abortions.

Thus, in the end the metaphysics most congenial to Marquis's position provides no support for any particular moral conclusion about abortion.

## 6. *Conclusion*

We have seen that in four cases there is no metaphysical support for a moral conclusion about abortion. The arguments surveyed are otherwise quite diverse. The best explanation of the failures we have seen asserts that they are no accident. It is best to conclude that the metaphysical facts are epistemically independent of the conditions that determine how it is moral to treat pre-viable human organisms.<sup>26</sup>

The real work in the arguments is done by nonmetaphysical facts that can mesh with any tenable metaphysics. These are empirical facts about fetal psychology or potential. Moral principles that enjoy long-standing acceptance among philosophers have a basis in something real in the cases involved. No credible metaphysics will abolish the basis in fact for the enduring positions. This much is not surprising. We have gone farther,

<sup>26</sup>This is a conclusion about the lack of power of metaphysics to make any local moral difference, a difference that favours a side in an existing moral dispute. There are metaphysical positions that would have a global impact throughout morality. For instance, an indeterministic metaphysics of freedom of action, in conjunction with facts about the causal structure of the world, may imply the general absence of moral responsibility. This sort of metaphysical implication does not affect the conclusion argued here, because nothing of this sort favours any particular position in the abortion controversy.

albeit in a negative direction. In the cases we have examined we have seen that the metaphysics does not so much as alter the balance of reasons. Nothing indicates that this result does not generalize to all reasoning about the morality of abortion. Where a particular metaphysical view seems initially to help, it turns out just to supply one ontological sort of hook on which to hang a feature that arguably makes a difference.<sup>27</sup>

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