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CHAPTER THREE

The Moral Permissibility of Abortion

Margaret Olivia Little

Introduction

When a woman or girl finds herself pregnant, is it morally permissible for her to end that pregnancy? One dominant tradition says “no”; its close cousin says “rarely” – exceptions may be made where the burdens on the individual girl or woman are exceptionally dire, or, for some, when the pregnancy results from rape. On both views, though, there is an enormous presumption against aborting, for abortion involves the destruction of something we have no right to destroy. Those who reject this claim, it is said, do so by denying the dignity of early human life – and imperiling their own.¹

I think these views are deeply flawed. They are, I believe, based on a problematic conception of how we should value early human life; more than that, they are based on a profoundly misleading view of gestation and a deontically crude picture of morality. I believe that early abortion is fully permissible, widely decent, and, indeed, can be honorable. This is not, though, because I regard burgeoning human life as “mere tissue”: on the contrary, I think it has a value worthy of special respect. It is, rather, because I believe that the right way to value early human life, and the right way to value what is involved in and at stake with its development, lead to a view that regards abortion as both morally sober and morally permissible. Abortion at later stages of pregnancy becomes, for reasons I shall outline, multiply more complicated; but it is early abortions – say, abortions in the first half of pregnancy – that are most at stake for women.

The Moral Status of Embryos and Early Fetuses

According to one tradition, the moral case against abortion is easily stated: abortion is morally impermissible because it is murder. The fetus, it is claimed, is a *person* – not just

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a life (a frog is a life), or an organism worthy of special regard, but a creature of full moral status imbued with fundamental rights. Abortion, in turn, constitutes a gross violation of one of that person's central-most such rights: namely, its right to life.

Now, for a great many people, the idea of a 2-week blastocyst, or 6-week embryo, or 12-week fetus counting as an equivalent rights-bearer to more usual persons is just an enormous stretch. It makes puzzles of widely shared intuitions, including the greater sense of loss most feel at later rather than earlier miscarriages, or again the greater priority we place on preventing childhood diseases than on preventing miscarriages. However else we may think such life worthy of regard, an embryo or early fetus is so far removed from our paradigmatic notion of a person that regarding it as such seems an extreme view.

The question is why some feel pushed to such an extreme. It is, in part, a reflection of just how inadequate our usual theories are when they bump up against reproduction. Surely part of the urge to cast a blastocyst as a full-fledged person, for instance, is a by-product of the impoverished resources our inherited theory has for valuing germinating human life: if the only category of moral status one has is a person or rights-holder, then the only way to capture our sense of the kind of respect or honor that embryos might deserve (the only way to capture the loss many feel at early miscarriage, for instance, or the queasiness over certain aspects of human embryo research) is to insist on fetal personhood from the moment of conception. The alternative, of course, is to challenge the assumption: instead of making the fetus match those terms of moral status, we ask what our theory of value should look like to accommodate the value of an entity like the fetus.

Or again, part of the urge to cast the embryo as a person is the worry that drawing subsequent distinctions in moral status over the course of fetal development would be fatally ad hoc. But such a worry already presupposes a certain metaphysics: it is only if one believes that discrete events and steady states are the fundamental explanatory classifications that distinctions of stages will feel troublingly arbitrary. A metaphysics that accommodates *becoming* or *continua* as fundamental explanatory classifications will be more likely to regard the distinction between zygote and matured person as inherently graduated. It would not expect to find – because it would not think to need – any distinction between discrete properties adequate to the job.

This is not to say that everything about moral status is degreed. But if we expand our moral categories beyond *rights* to notions of *value*, and accept *continua* as everyday phenomena rather than special puzzles, the road is paved for a picture of burgeoning human life that accords far better with the intuitions of so many: burgeoning human life has a status and worth that deepen as its development progresses.

But, it will be said, such an account misses something crucial. Unlike other inherently gradualist processes – the building of a house, say – there is here something already extant that should ground full moral status to the embryo: namely, a potential or telos for personhood. The only gradualist element in the picture is its unfolding. This, it will be urged, is what really grounds the moral standing of early human life: it is not because the embryo or early fetus is a person, but because the right way to value potential persons is to regard them as deserving the same deference as persons.

Now, I think there is a very important sense in which we should regard human embryos and fetuses as potential persons. We are in part biological animals, and biology classifies organisms as the types of creature they are by giving explanatory primacy to

certain trajectories over others. While there are an infinite number of trajectories that fish eggs, for instance, could take – from developing into fish, to being eaten as caviar, to being infused with sheep DNA and becoming a sheep – they are understood as the kind of biological organism they are by privileging the first as their “matured state” and expressive of their “nature.” It is in this sense that a fish egg is a potential fish, while a salamander egg – which could in principle be turned into a fish with enough laboratory machinations – is only thereby a possible one. Similarly, a human embryo is understood biologically as the kind of organism it is by giving explanatory primacy to the trajectory of its developing into a matured human, that is a person – something that cannot be said of a given sperm or egg.²

Lest we hang too much on this point, though, we need to remember that biology is not the only rubric that matters here. There is no direct isomorphism from the idea of a biological potential to a normative end – something that should or must be realized. Indeed, on one view, biological potential is only a candidate for normative upshot for creatures who independently count as having moral standing – a view that grounds moral status in potentiality turns out to have things exactly backwards. More deeply, though, the particular classification at issue here carries an intrinsic tension. For the trajectory in virtue of which we connect this sort of organism with that further state is a trajectory that depends on what *another person* – the pregnant woman – is able and willing to do. That is, *unlike* most biological organisms, the trajectory we privilege as the fetus's “natural” development – against which we classify its “potential” and measure when its existence is “truncated” – depends on the actions and resources of an autonomous *agent*, not the events and conditions of a *habitat*. Knowing what to think of the fetus thus requires assessing moves that have their home in biology (classifying organisms based on privileging certain environmental counterfactuals) applied when the biological “environment” is, at one and the same time, an autonomous agent subsumable under normative, not just biological, categories.

If this is easy to miss, it is in part because of how human gestation itself tends to get depicted. Metaphors abound of passive carriage; the pregnancy is a project of nature's. The woman is, perhaps, an especially close witness to that project, or again its setting, but the project is not her own. Her agency is thus noticed when she cuts off the pregnancy but passes unnoticed when she continues it. If, though, gestation belongs to the *woman* – if its essential resources are hers – her blood, her hormones, her energy, all resources that could be going to other of her bodily projects – then the concept of potential person is a hybrid concept from the start, not something we can read off from the neutral lessons of biology. In an important sense, then, talk of the fetus as potential person is dangerously misleading. For it encourages us to think of the embryo's development as mere *unfolding* – as though all that's needed other than the passage of time is already intrinsically there, or at least there independently of the woman.

In my own view, the biological capacities of early human life provide, once again, a degreed basis for according regard. Such biological potential marks out early human life as specially *respect-worthy* – which is why we should try to avoid conception where children are not what is sought (or again, why we do not think we should tack up human embryos on the wall for art, or provide them for children to dissect at school if fertilized chicken eggs get too pricey). To say that such life is respect-worthy, though, is not the same as claiming we are charged to defer as we would those with moral status.

Abortion and Gestational Assistance

Thus far, I have argued that morally restrictive views of abortion ride atop a problematic view of how we should value early human life. I now want to argue that they also ride atop a problematic misconception of the act of aborting itself. Let me illustrate first by returning to the claim that, if the fetus *were* a person, abortion would be a violation of its right to life.

We noted above that, while certain metaphors depict gestation as passive carriage (as though the fetus were simply occupying a room until it is born), the truth is of course far different. One who is gestating is providing the fetus with sustenance – donating nourishment, creating blood, delivering oxygen, providing hormonal triggers for development – without which it could not live. For a fetus, as the phrase goes, to live is to be receiving aid. And whether the assistance is delivered by way of intentional activity (as when the woman eats or takes her prenatal vitamins) or by way of biological mechanism, assistance it plainly is. But this has crucial implications for abortion's alleged status as murder. To put it simply, the right to life, as Judith Thomson famously put it, does not include the right to have all assistance needed to maintain that life (Thomson, 1971). Ending gestation will, at early stages at least, certainly lead to the fetus's demise, but that does not mean that doing so would violate its right to life.

Now Thomson herself illustrated the point with an (in)famous thought experiment in which one person is kidnapped and used as life support for another: staying connected to the Famous Violinist, she points out, may be the kind thing to do, but disconnecting oneself does not violate the Violinist's rights. The details of this rather esoteric example have led to widespread charges that Thomson's point ignores the distinction between killing and letting die, and would apply at any rate only to cases in which the woman was not responsible for procreation occurring. In fact, though, I think the central insight here is broader than the example, or Thomson's own analysis, indicates.³

As Frances Kamm's work points out (Kamm, 1992), in the usual case of a killing – if you stab a person on the street, for instance – you interfere with the trajectory the person had independently of you. She faced a happy enough future, we will say; your action changed that, taking away from her something she would have had but for your action. In ending gestation, though, what you are taking away from this person is something she would not have had to begin with, without your aid. She comes to you with a downward trajectory, as it were: but for you she would already be dead. In removing that assistance, you are not violating the person's right to life, judged in the traditional terms of a right against interference. While all killings are tragedies, then, not all are alike: some killings, as Kamm puts it, share the crucial "formal" feature of letting die, which is that they leave the person no worse off than before she encountered you. Of course, if one *could* end the assistance without effecting death, then, absent extraordinary circumstances, one should. (Part of the debate over so-called partial birth abortions is whether and when we encounter such circumstances.)⁴

The argument is not some crude utilitarian one, according to which you get to kill the person because you saved her life (as though, having given you a nice lamp for your birthday, I may therefore later steal it with impunity). The point, rather, is that where I am still in the process of saving – or sustaining or enabling – your life, and that life

cannot be thusly saved or sustained by anyone else, ending that assistance, even by active means, does not violate your right to life.

Some, of course, will argue that matters change when the woman is causally responsible for procreation. In such cases, it will be said, she is responsible for introducing the person's need. She is not like someone happening by an accident on the highway who knows CPR; she is like the person who *caused* the accident. Her actions introduced a set of vulnerabilities or needs, and we have a special duty to lessen vulnerabilities and repair harms we have inflicted on others.

But there is a deep disanalogy between causing the accident and procreating. The fact of causing a crash itself introduces a harm to surrounding drivers: they are in a worse position for having encountered that driver. But the simple act of procreating does not worsen the fetus's position: without procreation, the fetus would not exist at all; and the mere fact of being brought into existence is not a bad thing. To be sure, creating a human is creating someone who comes with needs. But this, crucially, is not the same as inflicting a need *on* to someone (see Silverstein, 1987). It is not as though the fetus already existed with one level of needs and the woman added a new one (as does happen, for instance, if a woman takes a drug after conception that increases the fetus's vulnerability to, say, certain cancers). The woman is (partially) responsible for creating a life, and it is a life that necessarily includes needs, but that is not the same as being responsible for the person being needy rather than not. The pregnant woman has not made the fetus more vulnerable than it would otherwise have been: absent her procreative actions, it would not have existed at all.

Even if the fetus were a person, then, abortion would not be murder. More broadly, abortion is not a species of *wrongful interference*. This is not to say that abortion is thereby necessarily unproblematic. It is to argue, instead, that the crucial moral issue needs to be relocated to the question of what, if any, positive obligations pregnant women have to continue gestational assistance. The question abortion really asks us to address is a question about the *ethics of gestation*. But this is a question that takes us into far richer, and far more interesting, territory than that occupied by discussions of murder. In particular, it requires us to discuss and assess claimed grounds of obligation, and to assess the very specific kinds of burdens and sacrifice involved in rendering *this* type of assistance.

I have argued elsewhere that if or when the fetus is a person, then the question of when a woman might have some obligation to provide use of her body to save its life turns out to be a fascinatingly deep matter, and one that is ultimately deeply contextual (Little, forthcoming). The issue I want to turn my attention to here is what picture we get when we join the two views I have outlined: a view that regards burgeoning human life as respect-worthy but not endowed with substantial moral status, and a view that recognizes abortion as the ending of gestational support. Abortion, I want to argue, is both permissible and widely decent, for reasons involving what we might call *authorship* and *stewardship*. Let me take each one in turn.

Intimacy, Pregnancy, and Motherhood

When people first ask what is at stake in asking a woman to continue a pregnancy, what usually get emphasized are the physical and medical risks. And indeed, they are

important to emphasize. While many pregnancies go smoothly, many do not; and the neutral language of an obstetrics text hardly captures the lived reality. I think of a friend I visited who had been put in lock-down on the psychiatric ward from pregnancy-related psychosis (and whose physician would not discuss inducing at 39 weeks because there was no "obstetrical indication"). Or my sister, whose two-trimester "morning sickness" – actually gut-wrenching dry heaves every 20 minutes and three hospitalizations – was the equal of many an experience of chemotherapy. Or another acquaintance, whose sudden onset of eclampsia during delivery brought her so close to dying that it left us all breathless. Asking women to take on the *ex ante* medical risks of pregnancy is asking a lot.

Then there are the social risks pregnancy can represent for some women – risks it is very hard for those of us in more comfortable lives to fully appreciate. Pregnancy is a marker for increased domestic violence. It leads, for many, to abandonment by family and community, even as it can lead the woman to feel tied to a relationship she would otherwise leave.

All of these burdens are important to appreciate. But there is something incomplete in such renditions of pregnancy's stakes. For a great many women, it is another set of issues that motivate the desire to end a pregnancy – issues having to do with the extraordinarily *personal* nature of gestation.

To be pregnant is to allow another living creature to live in and off of one's body for nine months. It is to have one's every physical system shaped by its needs, rather than one's own. It is to share one's body in an extraordinarily intimate and extensive – and often radically unpredictable – way. Then there is the aftermath of the nine months: for gestation does not just turn cells into a person; it turns the woman into a mother. One of the most common reasons women give for wanting to abort is that they do not want to become a mother – now, ever, again, with this partner, or no reliable partner, with these few resources, or these many that are now, after so many years of mothering, slated finally to another cause. Not because motherhood would bring with it such burdens – though it can – but because motherhood would so thoroughly change what we might call one's fundamental practical identity. The enterprise of mothering restructures the self – changing the shape of one's heart, the primary commitments by which one lives one's life, the terms by which one judges one's life a success or a failure. If the enterprise is eschewed and one decides to give the child over to another, the identity of mother still changes the normative facts that are true of one, as there is now someone by whom one does well or poorly (Ross, 1982). And either way – whether one rears the child or lets it go – to continue a pregnancy means that a piece of one's heart, as the saying goes, will forever walk outside one's body.

Gestation, in short, is not just any activity. It involves sharing one's very body. It brings with it an emotional intertwinement that can reshape one's entire life. It brings another person into one's family. Deciding whether to continue a pregnancy is not like being asked to write a check for charity, however large; it is an enormous undertaking that has reverberations for an entire lifetime. To argue that women may permissibly decline this need not trade on a view that grants no value to early life; it is, in essence, to argue about the right way to value *pregnancy* and *parenthood*. It is to recognize a level of moral prerogative based not just on the concretely understood burdens of the activity in question, but also on its deep connection to authoring a life. To illustrate, consider the following.

Imagine that the partner of your family's dreams is wildly in love with you and asks for your hand in marriage. As it turns out, substantial utility would accrue by your accepting him: his connections would seal your father's bid for political office, raise the family profile yet higher, and add nicely to its coffers just as your eldest brother faces expensive restoration of the family estate. It would also, and not incidentally, keep the fellow himself from falling into a pit of despair, as it is clear you are the only one for him.

All of this utility notwithstanding, many will believe that you do not thereby have a moral *obligation* – even a *prima facie* one – to accept the proposal. You might have a responsibility to give the proposal serious thought; but if, on reflection, you realize that marriage to this man – or to any man – is not what you want, then there we are. And this, even if we stipulate that marriage would not be a setback to your happiness: the utility function you would enjoy following acceptance might, indeed, surpass the one that would follow refusal. This, even if we think that the needs presented would have coalesced to form a duty if the assistance required had been burdensome (say, writing a big check) rather than intimate.⁵ Nor, finally, need we think the resistance must trace to a conviction that it would be morally wrong to accept the proposal – that it would in some way transgress the norms governing marriage. It is, we will imagine, quite obvious to you that you would come to have an enduring love if you accept; he understands this and relishes the prospective courtship. It is not that you would *use* him if you accept; it is that you do not *want* to have an enduring love with him, now, or at all.

Or again, imagine that your providing sexual service would help comfort and inspire the soldiers readying for battle. Many will believe this does not ground a requirement, even *prima facie*, to offer intercourse. This, even if you are the only one around capable of offering such service, and even if doing so would not actually be distressful to you. Such an intuition, again, need not trade on thinking that it would be wrong to give sex for such a purpose. Those with more permissive views of sexuality might well think someone who authentically and with full self-respect wanted to share her body for this purpose would be doing something generous and fine. One just does not want to make doing so the subject of obligation.

Now not all agree to these intuitions. If Victorian novels are to be believed, the upper classes of Regency England believed both that marriage and sex were fair candidates for obligation (especially when the family estate was at stake). But for many, there is something about marriage as a relationship, and sexual intercourse as a bodily connection, that makes them deserving of some special kind of deference when assessing moral obligation. The deference is doubtless limited: one need be absolutist here no more than elsewhere. But the defense, crucially, is not merely a function of plain utility considerations; it is the intimacy, not just the concrete welfare, that matters.

An important part of being a self is that the boundaries of one's self – the borders and use of one's body, the identity by which one knows oneself as oneself – are matters over which one deserves special moral deference. We might say it is on pain of imposing alienation. But the point is not to urge some fetishism about the evil of alienation (morality, after all, does not give a whit if you feel alienated when returning the borrowed library book), but to insist that some activities can have a sufficiently tight connection to self that alienation with respect to *them* is specially problematic to maintaining our status *as* selves. One's self is not always implicated in sexual intercourse and marriage; where it is, one may not care. But where it is, and you do, that fact is worthy of a deference or protection in a way that caring about how one's garden grows is not.

Gestation, like sex, is a bodily intimacy of the first order. Motherhood, like marriage, is a relational intimacy of the first order. If one believes that decisions about whether to continue a pregnancy are deserving of moral prerogative, it need not be because one believes early human life has no value – any more than assigning prerogatives over sex and marriage denies the value of one's family, the boys in fighting blue, or the relationship of marriage. Such views instead stem from the conviction that the proper way to value the relationship of motherhood and the bodily connection of pregnancy is to view them as intimacies deserving of special deference. Even if continuing a pregnancy represents *no* welfare setback to the woman, classically construed, we should recognize a strong moral prerogative over whether to continue that pregnancy.

This is not a claim that any reason to abort is a good one. Human life, even in nascent forms, should not be extinguished lightly; one who decides to end a pregnancy because she wants to fit into a party dress, say, is getting wrong the value of burgeoning human life. To abort for such reasons is to act indecently. But this does not mean that such a woman now has an obligation to continue the pregnancy. What it means, in the first instance, is that she should not regard such a reason as adequate for the conclusion; not that the conclusion is not available to her.

It is not that decency is some optional ideal. Quite to the contrary: if one realizes that an action is indecent, one must not do it. But the "it" in question is, as Barbara Herman (1993, p. 147) puts it, an action–reason pair – it is, though it makes our deliberations sound more formal than they are – a piece of practical syllogism. To say that a practical syllogism is indecent means one should discard it, but that does not yet comment on what action one should do. More specifically, it does not mean that one cannot decently arrive at its conclusion, for there may well be decent reasons waiting in the wings.

Take a standard example. A soldier, we might well decide, does not have an obligation to risk death by falling on the grenade that threatens his comrades. Nonetheless, if the reason he declines has nothing to do with wanting to live and everything with wanting his hated comrades to die, his refusal is indecent. He betrays a dreadful understanding of what is here at stake; he should not refuse on that basis. But this does not mean he thereby faces now an obligation or imperative to fall on the grenade. For there is extant a reason the soldier can deploy as an honorable basis for declining – namely, that doing so would sacrifice his life.

Or again, to return to our fanciful examples, if the reason you decide not to marry the suitor is not because you do not want to enter such a commitment at this stage of your life, but because you do not like the wart on his big toe, or the color of the drawing-room walls in his mansion, or if you decline sexual intercourse for racist reasons, your behavior is indecent. To think these acceptable reasons – to think them adequate premises to support a practical conclusion of declining – is to fundamentally misappreciate the various values here implicated. But we do not thereby conclude that the person is now under a requirement to accept (as though it is the woman with the dreadful reasons who now has an obligation to have sex). For there is extant a reason that would be honorable to deploy as a basis for declining – that one does not want to have sex, or enter marriage. Similarly, the fact that a given woman might deploy a genuinely trivial or offensive basis for aborting does not mean she is now obliged to continue the pregnancy. For there are available reasons – about sharing her body and entering motherhood – she may deploy as a basis for honorably declining.

Norms of Responsible Creation

Now some will urge that those who are (at least jointly) responsible for procreation thereby have a heightened obligation to continue gestating. People, of course, disagree over what it takes to count as "responsible" here – whether voluntary but contracepted intercourse is different from intercourse without use of birth control, and again from intentionally deciding to become pregnant at the IVF clinic. But those who satisfy the relevant criteria, it is often said, must thereby face greater duty to "see the pregnancy through." Unease is expressed at the thought of heterosexual intercourse conducted in callous disregard of procreative potential, of creating only to let wither. If you are going to allow a new life to begin, it is thought, you had better see it through to fruition.

I think these intuitions point to important issues, but not the ones usually thought. Let us start with that notion of sexual irresponsibility. For many people, there is something troubling about the idea of couples engaging in heterosexual intercourse in complete disregard of contraception – say, when one is highly fertile and birth control is just an arm's reach away. Such a view points to an important set of intuitions about another layer of respect, namely, respect for creation itself. Respect for burgeoning human life carries implications, not just for the accommodation we might owe such life once extant, but for the conditions under which we should undertake activities with procreative potential in the first place. To regard something as a value sometimes enjoins us to make more of it, and sometimes, as with people, to take care about the conditions under which we make any.⁶

There are, as we might put it, norms of responsible creation. Such a view seems exactly right to me. Part of what I imagine teaching my own children about sexuality is that human life as such deserves respect (whatever the metaphysical details), and respect requires that one not treat one's procreative capacities in a cavalier way. But none of this means that one has a special responsibility to gestate if one *does* get pregnant. For one thing, these norms, while very important (and far too little emphasized in our current culture), are norms about the activities that can lead to procreation, not what one owes should procreation take place. They specify, as it were, the good faith conditions one should meet for engaging in certain activities. Even if the norms are breached – one has sex in callous disregard to its potential to lead to new human life – that does not itself imply that one now (as punishment?) must gestate: it says one should not have had that sort of sex. Indeed, for many of us, the thought that negligence here means one should continue a pregnancy has an internal disconnect: that one had irresponsible sex is no reason at all to bring a new person into the world.

This last point begins to point to a very different approach to the ethics of creation. The salience of responsibility for procreation to the responsibilities of gestation is not just complex: decisions about abortion are often located *within* the norms of responsible creation. Let me explain.

Many people have deeply felt convictions about the circumstances under which they feel it right for them to bring a child into the world – can it be brought into a decent world, an intact family, a society that can minimally respect its agency? These considerations can persist even after conception has taken place; for while the embryo has already been created, a person has not. Some women decide to abort, that is, not because they do not *want* the resulting child – indeed, they may yearn for nothing more,

and desperately wish that their circumstances were otherwise – but because they do not think bringing a child into the world the right thing for them to do.

As Barbara Katz Rothman (1989) puts it, decisions to abort often represent not a decision to destroy, but a refusal to create. These are abortions marked by moral language. A woman wants to abort because she knows she could not give up a child for adoption but feels she could not give the child the sort of life, or be the sort of parent, she thinks a child *deserves*; a woman who would have to give up the child thinks it would be unfair to bring a child into existence already burdened by rejection, however well grounded its reasons; a woman living in a country marked by poverty and gender apartheid wants to abort because she decides it would be wrong for her to bear a daughter whose life, like hers, would be filled with so much injustice and hardship.

Some have thought that such decisions betray a simple fallacy: unless the child's life were literally going to be worse than non-existence, how can one abort out of concern for the future child? But the worry here is not that one would be imposing a *harm* on the child by bringing it into existence (as though children who are in the situations mentioned have lives that are not worth living). The claim is that bringing about a person's life in these circumstances would do violence to her ideals of creating and parenthood. She does not want to bring into existence a daughter she cannot love and care for; she does not want to bring into existence a person whose life will be marked by disrespect or rejection. In struggling with these issues, the worry is not that the child would have been better off never to have been born – as though children who are in the situations just mentioned have lives that are not worth living;⁷ it is that continuing a pregnancy in such circumstances would violate the woman's commitments of respectful creation.

Nor does the claim imply judgment on women who *do* continue pregnancies in similar circumstances – as though there were here an obligation to abort. For the norms in question need not be impersonally authoritative moral claims. Like ideals of good parenting, they mark out considerations all should be sensitive to, perhaps, but equally reasonable people may adhere to different variations and weightings. Still, they are normative for those who do have them; far from expressing mere matters of taste, the ideals one does accept carry an important kind of categoricity, issuing imperatives whose authority is not reducible to mere desire. These are, at root, issues about *integrity*, and the importance of maintaining integrity over one's participation in this enterprise precisely because it is so normatively weighty.

Some will protest the thought of our deciding such matters. We have no dominion, it will be said, to pick and chose the conditions under which human life, once started, proceeds. On what we might call a "stewardship" view of creation, in contrast, this dominion is precisely part of the responsibility involved in creation. It is a grave matter to end a developing human life by not nurturing it; but it can be an equally grave decision to continue a process that will result in the creation of a person. The present case, note, is thus importantly different from the other area of controversy over dominion over life, namely, actions intending to hasten death. Whatever one thinks of that matter, it diverges in a key respect from abortion. When we stand by rather than hasten death, we are allowing a trajectory independent of us to proceed without our influence. Not to abort, though, *is* to do something else – namely, to create a person.

Gestation is itself a creative endeavor. Not in the sense that its constitutive activities are each or mostly intentional (as if the issue were whether the pregnant woman, like

an athlete, deserves credit for the bodily activity involved). But if personhood emerges through pregnancy, and one has choices about whether to continue pregnancy, then decisions to do so themselves involve norms of respect. And not all norms of respect for creation, it turns out, tell in favor of continuing.

None of this is to say that abortion is morally neutral. Abortion involves loss. Not just loss of the hope various parties have invested in the pregnancy, but loss of something valuable in its own right. Abortion is thus a sober matter, an occasion, often, for moral emotions such as grief and regret. Given the value at stake, it is only fitting to feel grief – a sorrow that life begun is now ended – or to feel moral regret – that the actions needed to help these cells develop into a person would have compromised too significantly the life of someone who already was one. Such regret, that is, can signal appreciation of the fact, not that the action was indecent, but that decent actions sometimes involve loss.

It takes enormous investment to develop early human life into a human being. Understanding the morality of early abortion involves assessing not just welfare, but intimacy, not just destruction, but creation. As profound as the respect we should have for burgeoning human life, we should acknowledge moral prerogatives over associations such as having another inhabit and use one's body in such an extraordinarily enmeshed way, over identity-constituting commitments and enterprises as profound as motherhood, and over the weighty responsibility of bringing a new person into the world.

Notes

- 1 Portions of this chapter draw on my essay, "Abortion" (Little, 2003).
- 2 At least, one of a couple of weeks' standing: earlier blastocysts' trajectories turn out to be fascinatingly underdetermined. There is, for instance, no fact of the matter internal to its own cellular information as to whether a one-week blastocyst will be one person or more; and at very early stages there is no fact of the matter as to which cells will become the fetus and which will become the placenta.
- 3 RU-486, which essentially interrupts the production of progesterone needed to maintain a placenta, provides a good example of an abortion method that is more straightforwardly a "letting die" than an active killing.
- 4 Later abortions are thus multiply complicated: fetal status increases even as its dependencies decline. On the one hand, later fetuses are much closer to, and at some stage likely count as, persons; on the other hand, they are no longer solely and fully dependent on gestational assistance for life, hence enlarging possibilities for removing assistance without effecting death.
- 5 That is, the action is not simply a token that falls under an imperfect duty. It is a fascinating question how to parse the structure of imperfect duties, a question I here leave aside.
- 6 Of course, just how much "care" one must exert to avoid conception will be heartily contested. Those, like myself, who value spontaneity in sexual relations and have mild views about the value of burgeoning human life will advance something quite modest – urging, say, good faith attempts to use birth control if it is safe, easily obtained, and immediately convenient. Others will advance stringent principles indeed, requiring, say, that one not have sex at all until one is prepared to parent.
- 7 My thanks to Adrienne Asche for this way of putting the point.

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