

Dr. James S. Spiegel, Christian Ethics, Session 11, Abortion, Part 2

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This is Dr. James S. Spiegel in his teaching on Christian Ethics. This is session 11, Abortion, Part 2.

Okay, having looked at some of the major pro-choice arguments, let's take a look at some of the arguments for the pro-life position. We'll look at two of these, one from a philosopher named Don Marquis and another from a philosopher named Alexander Proust.

So Don Marquis wrote a paper several years ago where he argues that in order to get our ideas clear on the abortion debate, we need a proper account of the wrongfulness of killing. What is it that makes killing wrong when it is wrong? So, he considers a number of possibilities here. Is killing wrong when it's wrong because it brutalizes? His answer to that is no because you can kill wrongfully in very non-brutal, even gentle ways.

Is killing wrong because the victim will be missed? Will it harm other people because they love this person who's been taken away from them? No. Killing is wrong even if the victim is not missed, even if no one else is hurt by it. What makes killing wrong is the fact that it deprives someone of a valuable future.

He says, quoting Marquis, that the loss of one's life deprives one of all the experiences, activities, projects, and enjoyments that would otherwise have constituted one's future. Therefore, killing someone is wrong because the killing inflicts one of the greatest possible losses on the victim. So that's what makes killing wrong when it is wrong.

It deprives the victim of a valuable future. So, with that idea in place of what constitutes the wrongfulness of killing when it is wrong to kill, Marquis goes on to consider the implications of this. One is that it is not only wrong to kill the biologically human.

It allows for the wrongness of killing animals. Animals also have a potentially valuable future. And if you kill an animal, not that that's at the same level of killing a human being, it's still a *prima facie* wrong, at least potentially, because of the future that's been deprived, that animal.

Also, his view does not entail that active euthanasia is always wrong. If someone is in a terminal condition and they're approaching the end of their life anyway when their

death is hastened through euthanasia or physician-assisted suicide, you haven't taken away a valuable future; you've taken away a future that is probably going to be racked with extreme pain. That would be an implication of his view as well, or this understanding of the wrongfulness of killing, at least understood on its own.

We'll talk about euthanasia separately. But his view also accounts for the wrongfulness of killing children and infants. And fetuses.

Notice that, in his view, there's no attention given to the notion of fetal personhood. That's one of the significant aspects of Marquis' argument. He does not appeal to fetal personhood.

We can completely disregard that from the discussion, even if you grant that the fetus is not a person. His argument seems to have some pro-life implications here, even conceding that point. His account also allows for the moral permissibility of contraception.

Why? Because in the case of contraceptives, there is no one who is deprived of a valuable future. No individual sperm cell has a future as a sperm cell that's valuable. No individual ovum has a valuable future as an ovum alone.

And we can't say that in contraception, any particular combination of sperm and ova is deprived of a valuable future because they haven't been combined yet. So, his view allows for the moral permissibility of contraception. Some of the critiques of Marquis' argument argue that an adult and a fetus are not the same entity.

So, I am very different; you are very different than a fetus or a zygote, an embryo, and some urge that point somehow tells against Marquis' argument. He says, though, in response, that the fact that they are not the same person or entity does not prove that they are not one and the same organism. So, even if we become a person through the process of developing between, you know, embryo and newborn or toddler, even if personhood emerges later, it's still the same organism.

I am one and the same organism, just at different points in this organism's history as I was when I was a fetus. Actually, Alexander Proust's argument develops that idea in depth, the idea that I once was a fetus, but we'll get there next.

Another criticism of Marquis' argument is that it doesn't give sufficient weight to a woman's autonomy, the right to control her own body. Marquis' response to that is that this really has nothing to do with his argument. His conclusion can grant that point.

His conclusion is that abortion is a *prima facie* serious wrong. Why? Because in aborting a fetus, we are depriving an organism of a valuable future. But the question

remains open whether a woman's right to control her own body trumps that concern about the serious moral wrong of abortion.

We can discuss that separately. So, that's really irrelevant to his argument. So, that's Marquis' argument.

Moving on then to Alexander Proust's argument, which begins with this basic point that we all know to be true that I once was a fetus. You once were a fetus. Each of us was once a fetus.

And there is a lot that we can infer from this simple point that is relevant to the abortion debate. Here's how Proust argues. I once was a fetus, and if it is wrong to kill me now, then it would have been wrong to kill me as a fetus.

And that applies to all people everywhere. Therefore, it's wrong to kill a fetus whenever it's wrong to kill an adult in the same circumstances. A fetus is deserving of the same respect as an adult.

So, if you kill me now, you would be killing the same organism that you would have killed if you had aborted me as a fetus. We are one in the same organism. And he spent some time exploring this idea that I once was a fetus, that you once were a fetus.

What is the proof of that? He notes that the organism that was conceived by my mother nine months before my birth, in my case, was during the Cuban Missile Crisis of October of 1962. I guess my parents threw caution to the wind, figuring nuclear war was coming and the world was about to end. And so I arrived on the scene nine months later.

So maybe I should be thankful for people like Khrushchev and Fidel Castro. But moving on, the organism that was conceived by my mother nine months before my birth never died. It's not merely part of me but is continuous with me.

So, I am the same individual organism as that fetus. It looks very different. But despite our differences in terms of physical form, I am continuous with that organism.

What about this potential problem? The twinning objection. Does the fact that some blastocyst split into twins undermine Proust's argument? I have a couple of nephews who are in their early 20s now, Jake and Josh, who at some point were a single blastocyst. And now they're two people.

So how do we make sense of a valuable future on the part of this blastocyst that the two of them were at one time identical with? And doesn't that disrupt Proust's

argument in some way? His way of dealing with that is to say that the mere possibility that an organism may split in the future, he notes it's one out of every 260 blastocysts. That does not mean that it's not a genuine individual organism. He goes on to talk about proof that killing me as a fetus would be morally wrong.

Again, I am the same organism as I was as a fetus, though I had at that time a much longer potential future. But if you had killed me as a fetus, the victim would be the same as if you kill me now. The victim would be me in either case.

And furthermore, killing that fetus, therefore, is as morally wrong as, if not worse than, killing me now. Why? Because that fetus had a much longer valuable future than I have now as someone in his 50s. Even if I lived a very long life into my 90s, as my mother did, that's still only 35 or 40 years.

But when I was a fetus, I had a much longer valuable future than that ahead of me, potentially. So, you would have been taking away far more valuable experiences and projects if I had been killed as a fetus. So next, there is proof that it's wrong to kill any fetus for the same reason.

His point is just that my case is not different from that of anyone else. Each of us was once a fetus. So, it's just as wrong to kill anyone when they are a fetus as it would have been if you had killed me as a fetus.

So, in terms of objections to Proust's argument, there's this one. What about cases where a mother's life is in danger or where the fetus is unhealthy? His reply is that those cases should be dealt with just as they would for any full-grown adult. If we just grant that there's just as much value there in the case of that fetus as there is for an adult human being, then the decisions can be made accordingly.

Another objection is that this argument, which is sometimes called a trajectory argument, fails to establish that an embryo that never becomes a person has the same rights as an embryo that does become a person. A guy named Don Berkich has made that argument. Someone else, not Proust, but a guy named Daniel Propson, responds to this argument, this objection, in defense of Proust by noting that this objection fails because it is the act of aborting an embryo, which itself prevents it from becoming a person.

So, those are a couple of objections to Proust's argument, and how one may respond to each of them. Proust's argument is a fascinating argument, as simple and non-technical as it is. Actually, both Proust's and Marquis' arguments are both admirably clear and non-technical.

So, Frank Beckwith is a tremendous Christian philosopher who has published a lot on the abortion debate and a number of other moral issues. He also has some good responses to pro-choice arguments. One is that abortion is safer than childbirth.

Some make that argument and point out that when you compare the mortality rates when it comes to first-trimester abortion, the mortality rate is 1 in 100,000 as opposed to childbirth. We're talking about the mortality rates of the mother. It's 9 in 100,000 in the case of childbirth.

So many will make the point that abortion is 9 times safer than childbirth. So, isn't that a kind of recommendation in favor of abortion for a woman who's trying to decide? Beckwith notes that this is extremely misleading. When you look at the numbers like that and talk about abortion being 9 times safer, it can seem impressive.

But the fact is that if we just look at the numbers another way, we see how misleading this is. Because the difference is actually statistically insignificant. The abortion survival rate for the woman is 99.999%. But in childbirth, it's 99.991%. The difference is .008%, which is negligible.

So, to build any kind of pro-choice position on that at all is problematic. Then Beckwith goes on to note that even if there was a significant danger in childbirth, as he puts it, the special moral obligation that one has to one's offspring far outweighs the relative danger one avoids by not acting on that moral obligation. So even if the numbers were more like they were in, say, the 19th century, which was a much higher incidence of fatality for women giving birth, just the fact that you have a special obligation to your offspring offsets that consideration of that danger.

Now, Beckwith also responds to Judith Jarvis Thompson's violinist analogy, which we talked about. He has several things to say about this. One is that Thompson assumes that all of one's duties to one's offspring must be voluntary.

She seems to at least tacitly reject the idea that you just naturally incur duties and obligations to your offspring just because they are your offspring. We certainly don't disregard a man's duties to his offspring just because he unintentionally impregnated a woman. And that he did not choose that obligation.

It's like, buddy, you have this obligation because it's your kid. Even though you didn't want it, you didn't choose it, and you didn't intend it, it's still your obligation. And so it goes for a pregnant mother as well.

This idea of voluntarism, of obligations of voluntarism, is, Beckwith notes, fatal to family morality. It undermines the notion that we have special obligations to our family just because they are our family, particularly our offspring. You have special

obligations to your mom or your dad or your brother or your sister just because they are your family members.

And so, it goes for your offspring. Even more so, in fact. He notes a key disanalogy between the violinist and the unborn in Thompson's violinist analogy.

One, unlike the violinist, the unborn child is naturally dependent upon the mother. The violinist only became dependent upon you in that analogy in a very artificial way. They had to knock you out and then hook you up to this violinist and create this blood flow between you in order to create that dependence.

But that's completely artificial, unlike the natural dependence of the unborn child on the mother. So, comparing the unborn child to an artificially connected stranger, Beckwith argues, undermines the natural bond between a mother and her child.

So, I think those are some pretty good pushback on Beckwith's part to Thompson's argument. Alright, so let's move on now to the biblical case for the pro-life view. Here are some biblical passages that are often cited as relevant to the abortion question.

One of them comes from Psalm 139, verses 13 to 16, which highlights the fact that the unborn are created by God and known intimately by Him. So, the psalmist says, For you created my inmost being, you knit me together in my mother's womb. My frame was not hidden from you when I was made in the secret place.

When I was woven together in the depths of the earth, your eyes saw my unformed body. So, God, according to the psalmist here, is very intimately involved in the creation of each human being within his or her mother's womb. It's a meticulous providence there.

So even though, in my case, my parents were quite unaware of my conception, and they informed me that I was the result of a failed spermicide, a failed contraceptive, God was quite aware and quite intentionally weaving me together there in the process of meiosis within my mother's womb. God was actively involved in that. So, the unborn, in my case and all others, are created by God, known intimately by Him.

The psalmist is not just talking about his case but all human conceptions. Also, in Jeremiah 1, we find the same kind of theme communicated. He says, before I formed you in the womb, I knew you.

Before you were born, I set you apart. I appointed you as a prophet to the nations. So, God had very intentional plans for Jeremiah, even before he was born.

And so, it goes for the rest of us. Another biblical argument that's often made is an appeal to the fact that unborn babies are called children in some cases, such as in Luke 1, where the mother of Jesus and the mother of John the Baptist meet. And John the Baptist's mother reports that the baby leaped in her womb.

Exodus 21 is a really interesting passage. It's one of these case studies in the Pentateuch, which says that if men who are fighting hit a pregnant woman and she gives birth prematurely, but there is no serious injury, the offender must be fined. And it goes on from there to talk about how if there is further injury, the penalty should be an eye for an eye, life for life, and so on.

That passage, unfortunately, is translated in some biblical translations as miscarriage. When literally, yetzu yeladeha, which is the key Hebrew phrase there, it means her child comes out. And there's no indication whether that child that comes out prematurely lives or dies.

So, if it's properly translated as giving birth prematurely, or the child comes out, then any further injury would apply to that child. So, if the baby does die, then it becomes life for life as applied to the child. And suddenly, it becomes a very strong pro-life passage, as it is.

But if it's translated incorrectly as miscarriage, in fact, it becomes a kind of pro-choice argument. So, if so much turns in that passage regarding the proper rendering of that Hebrew phrase, her child comes out, yetzu yeladeha. And then a third argument for the pro-life view appeals to the fact that the unborn are called by God before birth in many cases.

We already noted the Genesis 1 passage, but also in Galatians 1, Isaiah 49, Judges 13, Genesis 25. In each of these cases, you have God calling people before they are born. Finally, let's note together a number of very common pro-choice arguments.

You hear them in news programs or in public discussions of the abortion issue. One of them is that a woman has the right to do with her own body as she chooses. That's a very common argument.

That if abortion becomes illegal, then we'll return to the days of back-alley abortion providers. I remember Senator Ted Kennedy making this argument during the review of a Supreme Court justice nominee back in the 1980s. He said, if this person is allowed to sit on the Supreme Court, then we're going to go back-to-back alley abortions.

And that argument is still made. That making abortion illegal will create financial hardships for some women. You often hear that argument.

And that society should not force women to bring unwanted or handicapped children into the world. That's another one. So, the thing that all of these arguments have in common is that each of them commits the fallacy of begging the question.

Scott Ray, who's authored a book called Moral Choices, in his chapter on abortion, makes this, as well as many other good points. Each of these arguments assumes that the fetus is not a person and has no moral rights. Because if the fetus is a person and has all the moral rights that you or I have, then to say that a woman has the right to do what she wants with her own body as she chooses is irrelevant because the fetus is not just a part of her own body, but a distinct human person.

And so it goes with concerns about back alley abortions, financial hardships for women, or unwanted babies. All of that is irrelevant because we're talking about a separate, distinct human person with rights of his or her own. So, that concludes our look at the abortion debate.

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