

Philosophy 1100: Ethics

Topic 10: Marquis on Abortion

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clicker question

I'm inclined to think that typical abortions (i.e., ones not done in cases of rape or to save the life of the woman) are

A. seriously wrong, similar to the murder of an innocent adult.

B. wrong, though not as wrong as the murder of an innocent adult.

C. generally morally acceptable, but still a morally serious decision, and requiring a good justification.

D. morally innocuous, requiring no justification, sort of like getting a haircut.

Marquis' Main Thesis

Marquis' Main Thesis:

It is *prima facie* seriously wrong to kill a normal human fetus.

Explanations of four terms in this thesis:

i. “prima facie” (you know what this means)

ii. “seriously wrong”:

as wrong as killing an innocent adult

iii. “normal”:

meant to rule out severely disabled fetuses

iv. “fetus”:

includes both fetuses *and* embryos

Marquis' Methodology

First ask,

Why is it wrong to kill us?,

and then use our answer to this to determine whether it's wrong to kill a fetus:

- If the reason it's wrong to kill us doesn't apply to fetuses, this suggests that it may be ok to kill a fetus.
- If the reason it's wrong to kill us does apply to fetuses, this suggests that it is wrong to kill a fetus.

The Future-Like-Ours Theory

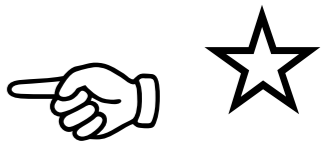
A “**future like ours**” is a future containing activities, projects, experiences, and enjoyments that are either valuable for their own sakes or are means to something else that is valuable for its own sake (Marquis, pp. 189-190).

Marquis’ Future-Like-Ours (FLO) Theory of the Wrongness of Killing:

Killing an individual is *prima facie* seriously wrong when doing so would deprive the individual of a future like ours.

Allegedly Attractive Implications of the FLO Theory

- i. FLO Theory does not hold that *being biologically human* is itself a morally significant category.
- ii. FLO Theory is compatible with the view that it is wrong to kill some *nonhuman animals*.
- iii. FLO Theory does not entail that *euthanasia* is always morally wrong.
- iv. FLO Theory explains why it is *prima facie* seriously wrong to kill *children and infants*.



This one is
especially
important!

A Fifth Implication of the FLO Theory

Marquis (p. 192):

“The claim that the primary wrong-making feature of a killing is the loss to the victim of the value of its future has obvious consequences for the ethics of abortion.

The future of a standard fetus includes a set of experiences, projects, activities, and such that are identical to the futures of adult human beings

and are identical to the futures of young children.

Since the reason that is sufficient to explain why it is wrong to kill human beings after the time of birth

is a reason that also applies to fetuses,

it follows that abortion is *prima facie* seriously morally wrong.”

Marquis' Main Argument

Marquis' Argument for the Wrongness of Abortion

P1. It is *prima facie* seriously wrong to kill an individual if doing so would deprive it of a future like ours. (The FLO Theory)

P2. Killing a normal human fetus would deprive it of a future like ours.

C. It is *prima facie* seriously wrong to kill a normal human fetus.

Marquis' Main Argument

Not a religious argument.

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Some interesting facts about abortion and Christianity:

- The word 'abortion' appears nowhere in the Bible, and there are no direct discussions of abortion in the Bible.
- Here is a passage with possible implications for abortion:

Exodus 21:22-25:

When people who are fighting injure a pregnant woman so that she has a miscarriage but no other injury occurs, then the guilty party will be fined what the woman's husband demands, as negotiated with the judges. If there is further injury, then you will give a life for a life, an eye for an eye, a tooth for a tooth, a hand for a hand, a foot for a foot, a burn for a burn, a bruise for a bruise, a wound for a wound. (Common English translation)

- The Catholic Church didn't officially forbid abortion until 1869.

Marquis' Main Argument

Marquis' Argument for the Wrongness of Abortion

P1. It is *prima facie* seriously wrong to kill an individual if doing so would deprive it of a future like ours.

P2. Killing a normal human fetus would deprive it of a future like ours.

C. It is *prima facie* seriously wrong to kill a normal human fetus.

An Initial Objection

“What if the woman/couple simply isn’t ready to have a child, or can’t properly take care of a child?”

Two ways to understand this objection:

- (i) it’s in the fetus’ interest to be aborted; it does not have a FLO in store. (Rejects P2.)
- (ii) keeping the baby would impose a tremendous burden on the parents, one greater than morality requires people to undergo. (Is an override to the ‘prima facie’ in the conclusion.)

An Initial Objection

“What if the woman/couple simply isn’t ready to have a child, or can’t properly take care of a child?”

Reply to both interpretations:

Imagine a couple who decides they aren’t ready to have a child *after their child is born*.

Against (i): it does not seem that it is in the child’s interest to die.

Against (ii): it does not seem that the burden on the parents would justify their killing their baby.

Marquis' Main Argument

Marquis' Argument for the Wrongness of Abortion

P1. It is *prima facie* seriously wrong to kill an individual if doing so would deprive it of a future like ours. (The FLO Theory)

P2. Killing a normal human fetus would deprive it of a future like ours.

C. Therefore, it is *prima facie* seriously wrong to kill a normal human fetus.

The “Failure to Conceive” Objection

The Case of Dick and Jane

This objection fails: Marquis’ FLO Theory does not imply that what Dick and Jane do is wrong.

Compare these two claims:

CREATE: You should try to make the future contain as many FLO’s as possible.

DON’T DESTROY: If there already exists some being who would go on to have a FLO, then it is wrong to kill that being.

The objection assumes that Marquis endorses **CREATE**.

But in fact his view is more like **DON’T DESTROY**.

Paske's Personhood Theory of the Wrongness of Killing

Paske, p. 79a:

“For a person, what is a ... more serious loss than the loss of a possible future is the loss of the actual, existent person. It is this immediate loss of personhood which constitutes the basic harm in killing.”

What does Paske mean by 'person'?

John Locke (1632-1704) used 'person' to mean

“a thinking, intelligent being, that has reason and reflection, and can consider itself as itself, the same thinking thing, in different times, and places”

(Locke, *An Essay Concerning Human Understanding* (1689), II.27.9)

Paske's Personhood Theory of the Wrongness of Killing

Our definition of 'person':

A **person** is a being with the following capacities:

- to reason
- to respond to reasons (reasons to do things and to believe things)
- to use language
- to have a self-concept
- to make and understand moral claims.

Note: 'person' does not mean the same as 'human'.

By '**human**', we will mean the same thing as 'member of the species *Homo sapiens*'.

Paske's Personhood Theory of the Wrongness of Killing

Examples of persons:

you

me

E.T. (the Extra Terrestrial)

Neytiri (from *Avatar*)

C3P0 (from *Star Wars*)

chimpanzees???



Paske's Personhood Theory of the Wrongness of Killing

Examples of beings that are *not* persons:

rocks

weeds

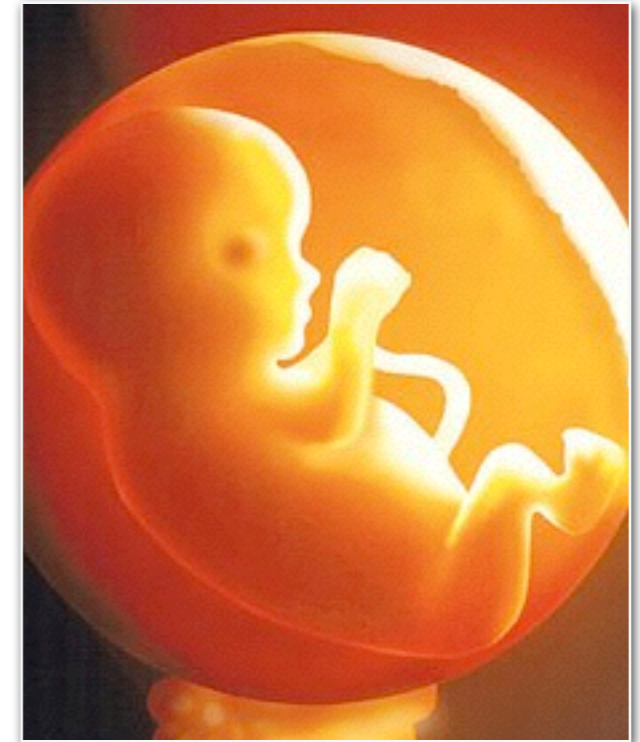
trout

fetuses

newborn babies

some severely
mentally disabled
humans

some coma patients???



Paske's Personhood Theory of the Wrongness of Killing

The Personhood Theory of the Wrongness of Killing:

Killing an individual is wrong when it destroys a person.

Implications for abortion:

The Personhood Theory supports a permissive view of abortion.

Paske's "Cat Person" Objection to Marquis' FLO Theory

Cat Person:

A kitten has been injected with a serum.

Initially, the serum has no effect. But later it will: in nine months, it will turn the kitten into a person – a being with a psychology like yours and mine – a “cat person.”

We have an antidote to the serum. If we inject the kitten with it, this will neutralize the serum, and the kitten will develop as it originally would have, into a normal cat.



By the way ...

“Suppose at some future time a chemical were to be discovered which when injected into the brain of a kitten would cause the kitten to develop into a cat possessing a brain of the sort possessed by humans, and consequently into a cat having all the psychological capabilities characteristic of adult humans. Such cats would be able to think, to use language, and so on.”

— Michael Tooley, “Abortion and Infanticide” (1972)



Michael Tooley

College Professor
of Distinction,
Department of
Philosophy



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clicker question

Would it be wrong to inject the kitten with the antidote, thereby preventing it from becoming a cat person?

A. Yes, it would be wrong.

B. No, it would not be wrong.

Paske's "Cat Person" Objection to Marquis' FLO Theory

Paske's "Cat Person" Argument Against the FLO Theory

P1. If the FLO Theory is true, then it must in general be wrong to deprive a thing of a FLO.

P2. If it is in general wrong to deprive a thing of a FLO, then it is wrong to inject the kitten with the antidote.

P3. But it is not wrong to inject the kitten with the antidote.

C. Therefore, the FLO Theory is not true.

Paske's Personhood Theory vs. Marquis' FLO Theory

Problem Cases for Paske's Personhood Theory:

Newborn babies

The severely mentally disabled

Those in temporary comas?

Problem Cases for Marquis' FLO Theory:

The cat person

Murdering the elderly?

clicker question

Putting aside the question of abortion, which theory of the wrongness of killing do you think is, all things considered, the better theory?

A. Marquis' FLO Theory.

B. Paske's Personhood Theory.