

Marquis

An Argument that Abortion is Wrong



Stand-off in Abortion Debate

- Marquis argues that a stand-off exists between the traditional sides of the abortion debate
 - He is trying to avoid leaving the debate up to a battle of rights and he is trying to avoid defining what it means to be a person/ have moral status
- He argues for a new approach

Futures Like Ours (FLO)

What's wrong with killing us?

- It would deprive us of a future of value: "An individual's future will be valuable to that individual if that individual will come, or would come, to value it."
- loss of future good of conscious life underlies misfortune of premature death
- what are the goods?
 - "whatever we get out of life," "what makes life worth living"
- this model based on adults with futures of value (Warren emphasizes this point)

Arguments for FLO

- Considered Judgment argument:
 - If one who is about to die would agree that the impending loss of FLO is a misfortune, then FLO is right.
- Worst of Crimes argument:
 - Either killing is the worst of crimes or it isn't. If it is, then killing deprives one of something more valuable than what is lost in other crimes. Killing deprives one of FLO, the value of one's future life.

More Arguments for FLO

- Appeal to Cases: FLO account of the wrongness of killing is correct because it provides correct answers to certain types of cases
 - i) Removal of life support of permanently unconscious
 - ii) Ending FLO in euthanasia vs. suicidal
 - iii) Wrong to kill aliens since they are arguably persons with FLO
- Might Warren's & Thomson's accounts provide plausible answers as well? Is Marquis' explanation more persuasive?
- Analogy with animals: Singer's animal suffering a misfortune just like depriving one of FLO is a misfortune. So, the FLO argument seems to apply to non-human animals just as well.

Objection–Potentiality Argument

FLO argument is a potentiality argument

- but the potentiality is not one of arguing for the potential based on personhood of a fetus, according to Marquis
- Rather the argument is made based on the claim that a "fetus now has the potential to be in a state of a certain kind in the future."
 - That state is now having a life it would value if it were to live
- FLO based on the adult's potential to have a future of value
 - Should a fetus' potential be treated the same as an adult's?

Potentiality Argument Against Abortion in Marquis

- Marquis' Argument
 1. If Xs have the right to Y, then potential Xs have the right to Y.
 2. Persons have the right to life.
 3. Therefore, potential persons have the right to life
- Premise (1) = False
 - e.g., potential presidents don't have right to presidency
 - Marquis is not using the potentiality argument to bridge the gap between adults and fetuses. FLO is based on the adult's potential to have a future of value.

Objection–Argument from Interests

- Fetuses have no moral standing. And, it is wrong to abort only if fetus has moral standing, even if fetus does have FLO.
 - Assumption to objection is that having moral status requires having capacity for caring for one's interests.
 - But, Marquis thinks the argument unsound because it confuses having interests and having the ability to take an interest in one's interests. (e.g., unconscious patient)
 - But, fetuses do not have the ability to take an interest in their interests. At best, they have the future ability to take an interest in their interests.

Objection–Problem of Equality

- FLO implies that it is more wrong to kill a five-year-old than an 85-year-old, because one is deprived of more than the other.
- But, FLO's implications for wrongness of killing does not imply degrees of wrongness.
- Killings could be wrong in other ways, too.

Objection–Contraception

Contraception prevents a being with FLO and thus wrong.

- Response focuses on the issue of whether fetuses are beings for whom killing is wrong.
- Having FLO marks beings with that status for whom killing is presumptively wrong. Since there's no being with FLO there's no problem with contraception.

Hausman's Response to Marquis

Marquis: murder as sufficient condition

1. Sufficient for committing murder to deprive one of a future of value
 2. Since sufficient, this leaves open the possibility that one can deprive one of a future of value without actually killing
- Two notions of life
 - i. Biological life-based on body and physical functions
 - ii. Biographical life-life defined in terms of psychological self

Hausman's Thought Experiments

- Taking out my brain but leaving my body alive is same as murder
- Taking out my brain but leaving my body alive does not deprive my biological being of a future of value when a new brain is implanted
 - (a) not depriving one of FLO but removing brain is murder
 - (b) if biological being replaced by "me", then (ii) is false and Marquis needs to define personhood--the very thing he is trying to avoid.
- If Hausman is right, then what matters for Marquis is the psychological/biographical self
- Thus, what is wrong about depriving the fetus of FLO is that it deprives the fetus of a psychological future. Does it make sense to say that a 4-cell zygote is deprived of a future psychological self when used in stem-cell research?

Ridley's Response to Marquis

- Part of what makes killing wrong is depriving one of FLO. But it is not all that makes it wrong.
 - If there is something else that makes killing wrong and this extra property does not apply to fetuses, then killing fetuses is not as wrong as killing adults.
- Does the fetus stand in the same relationship to its future as an adult does?
 - Adults make plans, fear the future, etc. Fetuses don't. Adults have psychological attitudes toward their futures and fetuses don't.

Ridley's Attitude Argument

1. If we have no attitudes toward our futures, then we are perfectly indifferent to our futures.
2. If we are perfectly indifferent to our futures, then what happens to us and how it affects our futures is not something we could care about--we are indifferent to harms and benefits to us.
3. Fetuses have no attitudes toward their futures.
4. Fetuses are perfectly indifferent to their futures and harms or benefits to their futures--how their futures are affected--is not something they could care about.
5. If you kill a being that is perfectly indifferent, then you do not wrong that being in any way it cares about.

6. Killing a fetus does not wrong it in ways that it cares about.

Killing Adults Different than Killing Fetuses

What's wrong with killing adults is different than what's wrong with killing fetuses

1. Suppose we kill two beings: one perfectly indifferent to its future and one not:
 - a) both killings wrong (assuming FLO is correct)
 - b) but, the killing of one who is not indifferent is more wrong because it deprives them of their autonomy
2. So, there is something about killing adults that makes it more wrong than simply depriving it of FLO--that is, disrespect for autonomy
3. This criticism undermines Marquis' account. If autonomy is important and autonomy results only from being moral agents (persons), then what's wrong about killing adults is that they are persons.