

11 Common Arguments about Abortion

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1 Introduction

Abortion is often in the news. In the course of writing this essay in early 2019, Kentucky, Mississippi, Ohio, Georgia, Alabama and Missouri passed legislation to outlaw and criminalize abortions starting at six to eight weeks in pregnancy, with more states following. Federal law, however, generally permits abortions, so it is unclear what the legal outcome here will be.

Abortion is a political issue – with different political parties *tending* to have different perspectives on the issue – because abortion is a *moral* or *ethical* issue. (These two words mean the same thing).

Some believe that abortions are typically *morally permissible*, or *not wrong*, and so believe that abortions should be legal. If doing something isn't wrong, it shouldn't be illegal: criminalizing actions that aren't wrong is a form of *injustice*.

Other believe that abortion is morally wrong, that it's *often* wrong, maybe *nearly always* or even *always*.

Some people argue that even though they believe abortion is wrong, it should remain legal: after all, if *every* morally wrong action was illegal, we would all be in jail! Seriously though, there are many actions that are morally wrong, even really hurtful, that the government shouldn't try to prevent or punish. (You can supply the potential examples to make the point). They might also think that, for a variety of other reasons, their personal moral views on the issues shouldn't be made into law for all.

Others argue that abortions are wrong and should be illegal. What *types* of wrongdoing should be illegal? This question isn't easy to answer: it's abstract and general. One answer is that *seriously, extremely wrong actions should be illegal*. This might seem plausible, since many illegal actions *are* seriously wrong, but since there are other very wrong actions that shouldn't be illegal, this answer isn't perfect.

2 Defining “Abortion”

Abortion might personally affect you or someone you know: you or a partner, spouse, relative or friend may have had an abortion, have considered abortion, or will have an abortion. But what is an abortion?

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There are a number of common definitions, some of which are better and others which are worse:

Definition 1: An abortion is the *murder* of an unborn *baby* or *child*.

Definition 2: An abortion is the intentional *termination* of a fetus to end a pregnancy.

Definition 3: An abortion is the intentional *killing* of a fetus to end a pregnancy.

Definition 3 is best. We'll explain why after we show the problems with the first two definitions.

2.1 “Murdering Babies”

Definition 1 is common with certain groups of people, but even people who think abortion is wrong should reject it.

“Murder” *means* “wrongful killing,” and so this definition implies that abortion is wrong *by definition*, which it isn't. This definition means that to know that abortion is wrong, we'd just need to reflect on the meaning of the word, and not give any reasons to think this. Murder *is* wrong by definition, but to know that any particular killing is murder, we need arguments. (Compare someone who calls the death penalty *murder*: we know it's killing, but is it *wrongful* killing? We can't just appeal to the definition of “murder”: we need arguments that this is wrongful killing). This definition also means that someone who claims that abortion is *not* wrong says that “Wrongful killing is *not* wrong,” which makes no sense. We can even call this a “question-begging” definition, since it *assumes* that abortion is wrong, which can't be *assumed*. So this definition is problematic, *even if* abortion is wrong.

Definition 1 also describes fetuses as “babies” or “children.” While people are usually free to use whatever words how they want, people *can* say things that are false: calling something something doesn't mean it's really that thing. And the beginnings of something are usually not that thing: a pile of lumber and supplies is not a house; fabric, buttons and thread are not a shirt, and an embryo or early fetus is not a baby or child. So it's false and misleading to call embryos and early fetuses “babies” or “children.”

Defining abortion in terms of “babies” seems to again result in a “question-begging” definition that *assumes* that abortion is wrong, since it is widely and correctly believed that it's wrong to kill babies. We understand, however, that it's wrong to kill babies because we think about *born* babies who are *conscious* and *feeling* and have other baby-like characteristics: *these* are the babies we have in mind when we think about the wrongness of killing babies, *not* early fetuses. Describing early fetuses as “babies” characterizes them either as something they are not or, at least, assumes things that need to be argued for, which is misleading, both factually (in terms of what fetuses are like) and morally (insofar as it's assumed that the rules about how babies should be treated *clearly* and *straightforwardly* apply to, say, embryos).

Part of the problem with this definition is that terms like “babies” and “children” encourage strong emotional responses. Babies and children are associated with value-laden terms such as *innocence*, *vulnerability*, *preciousness*, *cuteness*, and more. When we refer to unborn human beings as *fetuses*, some

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people become defensive because they see the word “fetus” as cold and sterile. But “fetus” is merely a helpful, and accurate, name for a stage of development, as is “baby,” “child,” “adolescent,” and “adult.” Distinguishing different stages of human development doesn’t commit anyone to a position on abortion, but it does help us understand what an abortion *is*.

In sum, defining abortion in terms of “murdering babies” is a bad definition: it misleads and assumes things it shouldn’t. Even those who think that abortion is wrong should not accept it.

2.2 “Termination”

The second definition describes abortion as an *intentional* action. This is good since a pregnant woman does not “have an abortion” if her pregnancy ends because of, say, a car accident. And “spontaneous abortions” or miscarriages are not intentional actions that can be judged morally: they just happen.

Definitions, however, are supposed to be informative, and the vague word “termination” doesn’t inform. If someone had literally no idea what an abortion was, it would be fair for them to ask what’s *exactly* involved in a “termination” of a pregnancy. A discussion between persons A and B – who knows nothing about abortion – might go like this:

“There is a pregnant woman (or girl) who does not want to have a baby, a *living* baby, obviously. And so we are going to do *something* to something insider her – that is developing into that living baby – so she does not have that baby. The action we are going to do is the ‘termination.’”

“*That something inside her, developing into that living baby, it is living?*”

“Yes. It started from a living egg and sperm cell.”

“So you are making something living *not living*, right? That sounds like *killing* something, right?”

Person B’s reasoning seems correct: abortions *do* involve killing. The word “termination” obscures that fact and so makes for an unclear definition. This doesn’t make the definition *wrong*; to “terminate” something means *to end it in some way*, and abortion ends the development of a fetus. But it doesn’t say *how* abortion ends that development and so is not ideal.

Why might someone accept this definition? Probably because they are reasoning this way:

Killing is wrong. So if abortion is killing, then it’s wrong. But I don’t believe that abortion is wrong, or I am unsure that abortion is wrong, so I don’t want to call it a ‘killing,’ since that means it’s wrong.

The problem here is the first step. *Not all killing is wrong*. Lots of killing is perfectly fine and raises no moral issues at all: killing mold, killing bacteria, killing plants, killing fleas, killing random cells and tissues (even ones that are human, say cheek cells or skin cells), and more. We don’t even need to observe that it’s *sometimes* not wrong to kill adult human beings to make the point that not all killing is

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wrong.

This means that it's *not* problematic to define abortion in terms of "killing." The important questions then are, "Is abortion *wrongful* killing, or killing that's not wrong?" and "When, if ever, might it be wrongful killing and when, if ever, might it be permissible killing? And *why*?"

2.3 "Killing"

A final definition understands abortion in terms of *an intentional killing of a fetus to end a pregnancy*. This definition is *accurate, informative* since it tells us *how* the fetus would be "terminated", and *morally-neutral*: it doesn't assume that the killing involved in abortions is not wrong *or* that it's wrong. This is a good definition.²

3 Why Most Abortions Occur

The Guttmacher "Fact Sheet"³ provides an overview of the research on why abortions occur and other relevant information:

- The reasons patients gave for having an abortion underscored their understanding of the responsibilities of parenthood and family life. The three most common reasons—each cited by three-fourths of patients—were concern for or responsibility to other individuals; the inability to afford raising a child; and the belief that having a baby would interfere with work, school or the ability to care for dependents. Half said they did not want to be a single parent or were having problems with their husband or partner.
- Fifty-one percent of abortion patients were using a contraceptive method in the month they became pregnant, most commonly condoms (24%) or a hormonal method (13%).
- Fifty-nine percent of abortions were obtained by patients who had had at least one birth.
- Some 75% of abortion patients in were poor or low-income. Twenty-six percent of patients had incomes of 100–199% of the federal poverty level, and 49% had incomes of less than 100% of the federal poverty level (\$15,730 for a family of two).

This information suggests, at least, that if women were economically better off, had better access to affordable child-care and other forms of support, and had ready access to more reliable forms of contraception, there would likely be fewer abortions.

4 Bad Arguments: "Question-Begging" Arguments & "Everyday" Arguments

We'll now discuss some commonly given arguments about abortion that, unfortunately, are rather poor.

² Later, however, we will see another definition of abortion as *the intentional withholding of what a fetus needs to live, to end a pregnancy*.

³ <https://www.guttmacher.org/fact-sheet/induced-abortion-united-states>

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4.1 “Question-begging” Arguments

Many common arguments about abortion are what’s called “question-begging,” which means the reason given for the conclusion *assumes* that conclusion. This means that you wouldn’t accept the reason as a good reason to believe the conclusion *unless* you already believed that conclusion! This is circular reasoning, and arguments like this are always bad.

4.1.1 “Against” Abortion:

Many common arguments against abortion are question begging. Here are some:

Abortion – *killing fetuses to end pregnancies* – is wrong because:

- (1) abortion is *murder*;
- (2) abortion is killing babies or children;
- (3) adoption is a *better* option than abortion;
- (4) pregnant women just *must* keep the pregnancy and give birth;
- (5) abortion should not be used as ‘birth control’;
- (6) women who have abortions are *irresponsible*;
- (7) a *good person* wouldn’t have an abortion;
- (8) women who have abortions feel guilty.

These premises all *assume* that abortion is wrong. To explain:

- (1) assumes that killing fetuses is wrong, since “murder” *means* wrongful killing;
- (2) assumes that fetuses are *like babies and children* and so are similarly wrong to kill;
- (3) assumes that abortion is a worse or bad option, since it assumes it is wrong;
- (4) assumes that women *must not* have abortions since it assumes they are wrong;
- (5) assumes that abortion is wrong: but if it is *not wrong*, while it might not be an ideal form of “birth control” it could permissibly be used for that purpose;
- (6) assumes that women who have abortions are doing what they are not supposed to do, doing wrong, and so are “irresponsible”;
- (7) assumes that abortion is wrong and so good people, who avoid wrongdoing, wouldn’t have one;
- (8) assumes that abortion is wrong and so assumes that *some* women feel guilty *because* they have done something wrong: however, people can *feel* guilty even if they haven’t done anything wrong, so guilt feelings aren’t perfect evidence of wrongdoing (just as *not* feeling guilty doesn’t mean you did something that was OK).

People would believe these claims *only if* they already believed abortion is wrong, so these claims should not sway anyone who wants to think critically about the issues.

4.1.2 “For” Abortion:

People who think abortion should be allowed also sometimes give question-begging arguments. Here are

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a few:

Abortion is *not* wrong because:

- (1) abortion is a *personal choice*; couples *should be able to* make that choice;
- (2) women have a (*moral*) *right* to have abortions;
- (3) women have the right to do what they want with their bodies;
- (4) well, if you don't *like* abortions, *then don't have one!*
- (5) those who oppose abortions just want to control women.

These premises likewise *assume* their conclusions. To explain:

- (1) the idea of a “personal choice” seems to be a choice that's *not wrong* to make: e.g., we wouldn't call a choice to be an ax-murderer a “personal choice” because that's wrong, whereas what color socks to wear is a “personal choice.” So claims like this *seem* to just *assume* that abortion is not wrong or that it should be legal;
- (2) *sometimes* when people say that they have a moral right to do something, they are merely saying that *it's not wrong for them to do it*. So this claim amounts to saying that abortion is not wrong because it's not wrong, which is question-begging. (If it's explained *why* women have this right, the argument might cease to be question-begging, however);
- (3) there are limits to rights, and *sometimes* we don't have the right to do what's wrong. If abortion were wrong, then *perhaps* women wouldn't have the right to have them, and this claim just *assumes* abortions are not wrong;
- (4) consider an analogous slogan, “Don't like arson? *Then don't burn down any buildings!*” This is absurd, because arson is wrong, and we don't offer slogans like this about actions that are wrong. “Don't like strawberries? *Then don't eat them!*” makes sense since not eating strawberries is not wrong. The slogan here assumes that abortion is not wrong;
- (5) since *some* wrongdoing *should* be “controlled,” those who offer this reason *might* merely *assume* that abortion is *not* a type of wrongdoing that should be illegal. They are also focusing on other people's motives, which is often unwise: people who allegedly wish to “control” women *might* respond or suspect that abortion advocates are motivated by the desire to “engage in immorality without consequences!” (*Is that true?* No, pro-choice advocates argue.) Accusations about motives are fruitless: it's better to engage the basic questions of whether abortion is wrong or not and *why*, like we are doing here, instead of speculating about motives.

Question-begging arguments are common, on many issues – not just abortion, and they should be rejected, by everyone, always.

4.2 “Everyday” Arguments

Now we will discuss some other common arguments, that you might often hear or read about, that are also poor but often *not* because they are question-begging. We'll begin with some arguments against abortion.

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4.2.1 “Against” Abortion

4.2.1.1 “Abortion ends a life.”

People often ask, “When does *life* begin?” Some people wonder if fetuses are “alive,” or when they become “life.” Some argue abortion is wrong because “life begins at conception,” whereas those who support abortion sometimes respond that “fetuses aren’t even alive!” There are a lot of debates here, and to get past them, we need to ask what is meant by *alive*, *living* or *a life*.

This is often considered a “deep” question, but it’s not. Consider this: are eggs (in women) alive? Are sperm cells alive? Yes to both, and so when a sperm fertilizes an egg, what results is a *biologically living* thing. Above, we defined abortion as a type of killing and, of course, you can only kill living things. So, yes, fetuses are alive, *biologically alive*, from conception: they are engaged in the types of life processes reviewed on page 1 of any biology textbook.

Some people think that fetuses being alive *shows* that abortion is wrong, and so they enthusiastically argue that fetuses are biologically alive. Some who think that abortion is not wrong try to argue that fetuses are not even alive. These responses suggest concern with an argument like this:

- (1) Fetuses are biologically alive.
- (2) *All things that are biologically alive are wrong to kill.*
- (3) Therefore, fetuses are wrong to kill.

The second premise, however, is obviously false: uncontroversial examples show it. Mold, bacteria, mosquitos and plants are biologically alive, but they aren’t wrong to kill. So, just as acknowledging that abortion involves *killing* doesn’t mean that abortion is wrong, recognizing that *biological life* begins at conception doesn’t mean that abortion is wrong either.

Now, perhaps people *really* mean something like “morally significant life” or “life with rights,” but that’s not people what say: if that’s what they mean, they should say that.

4.2.1.2 “Abortion kills babies and children.”

Classifying fetuses as babies or children obscures any potentially relevant moral differences between, say, a 6-week old fetus and a 6-day old baby or 6-year old child. This claim *assumes* that fetuses – at any stage of development – and babies are the same sort of entity. This claim involves loaded emotional language, is inaccurate and is question-begging, as we discussed above in the section on definitions: this saying doesn’t contribute to a good argument.

4.2.1.3 “Abortion is murder.”

Murder is a term for a specific kind of killing. As a moral term, it refers to especially wrongful killing. As a legal term, it refers to intentional killing that is both unlawful and malicious. Since abortion is legal in the US, most abortions cannot be *legally* classified as murder because they are not illegal or unlawful. Moreover, abortions don’t seem to be done with malicious intent. When people claim that abortion *is*

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murder, what they seem to mean is either that abortion *should be re-classified as murder* or that *abortion is wrong*, or both. Either way, *arguments* are needed to support that, not question-begging slogans.

4.2.1.4 “Abortion kills innocent beings.”

Fetuses are often described as “innocent,” meaning that they have done nothing wrong to *deserve* being killed. Since killing anyone innocent is wrong, this suggests that abortion is wrong. “Innocence,” however, *seems* to be a concept that only applies to beings that *can* do wrong and choose not to. Since fetuses can’t *do* anything – they especially cannot *do* anything wrong that would make them “guilty” – the concept of *innocence* does not seem to apply to them. So saying that banning abortion would “protect the innocent” is inaccurate since abortion doesn’t kill “innocent” beings: the concept of innocence just doesn’t apply.

4.2.1.5 “The Bible says abortion is wrong.”

People often appeal to religion to justify their moral views. Some say that God thinks abortion is wrong, but it’s a fair question how they might *know* this, especially since others claim to *know* that God doesn’t think that. In reply, it is sometimes said that the Bible says abortion is wrong (and that’s how we know what God thinks).

But the Bible doesn’t say that abortion is wrong: it doesn’t discuss abortion at all. There is a commandment against *killing*, but, as our discussion above makes clear, this requires interpretation about *what* and *who* is wrong to kill: presumably the Bible doesn’t mean that killing mold or bacteria or plants is wrong. And there are verses (Exodus 21:22-24) that, on some translations, suggest that fetuses lack the value of born persons, since penalties for damage to each differ. This coincides with common Jewish views on the issue, that the needs and rights of the mother outweigh any the fetus might have.

However any verses are best interpreted, they still don’t *show* that abortion is wrong. This is because the Bible is not *always* a reliable guide to morality, since there are troubling verses that seem to *require* killing people for trivial “crimes,” *allow* enslaving people (and beating them), *require* obeying *all* government officials and more. And Jesus commanded loving your neighbor as yourself, loving your enemies and taking care of orphans, immigrants and refugees, and offered many other moral guidelines that many people regard as false.⁴ Simple moral arguments from the Bible assume that that *if the Bible says an action is wrong, then it really is wrong* (and *if the Bible says something’s not wrong, it’s not wrong*), and both premises don’t seem to be literally true.

This all suggests that people sometimes appeal to the Bible in selective and self-serving ways: they come to the Bible with their previously-held moral assumptions and seek to find something in the Bible

⁴ Appeals to the Bible and other sources (and people) considered to be an *authority*, leads to this dilemma: *either there are good reasons to accept that what that authority claims or not*. If *not*, then we should not accept what the authority says. If there are good reasons, then those reasons – which we all can discuss and debate – would be why we should accept what it says, *not* because the “authority” says so. These insights are applied to morally problematic verses of the Bible, since we have good reasons to reject the moral guidance suggested by those verses. For discussion of these issues, which are related to the “Euthyphro dilemma” that Socrates addressed, see Spencer Case’s “Because God Says So: On Divine Command Theory,” at <https://1000wordphilosophy.com/2014/03/31/because-god-says-so/>

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to justify them.

There is an interesting Biblical connection here worth mentioning though. Some argue that if women who want abortions are prevented from having them, that *forces* them to remain pregnant and give birth and that this is like *forcing* women to be like the “Good Samaritan” who went out of his way, at expense to himself, to help a stranger in great need (Luke 10:25-37). (The analogy is imperfect, as analogies always are).

The problem is in no other area of life is anyone *forced* to be a Good Samaritan like a pregnant woman would: e.g., you can’t be *forced* to donate an organ to anyone in need (even to your child or parent); you can’t even be forced to donate your organs after you are dead! Nobody other than pregnant women would be *forced* by the government – under threat of imprisonment or worse – to use their body to help sustain someone else’s life. It is unfair to require women to be Good Samaritans but allow the rest of us to be like the “priest” and “Levite” in the story who helped nobody.

Nevertheless, it’s important to remember that laws should not be based on any particular religions. If you are not, say, a Hindu, or a Buddhist, or a Rastafarian, you *probably* don’t want laws based solely on one of those religion’s values. Laws should be religiously-neutral; on that we all should agree.

4.2.1.6 “Abortion stops a beating heart.”

This claim, if given as an argument, assumes that *stopping a beating heart is wrong*. The assumption, however, is just obviously untrue: e.g., during open heart surgery, surgeons temporarily stop the patient’s heart so that repair can be made to the still heart: they would permanently stop that heart if they replace it with an artificial heart. If there were somehow an independently beating heart, attached to nobody, that heart wouldn’t be wrong to stop. Whether a heart is wrong to stop or not depends on who is around that heart and their value or rights, not anything about that heart by itself. Finally, embryos and early fetuses *do not even have hearts*, as critics of recent “heartbeat” bills have observed! (The heart fully develops much later in pregnancy.)

If, however, this widely expressed concern about a heartbeat isn’t meant to be taken literally, but is merely a metaphor or an emotional appeal, we submit that these are inappropriate for serious issues like this one.

4.2.1.7 “How would you like it if . . .?”

Some ask, “How would you like it if your mother had had an abortion?” Others tell stories of how their mother almost had an abortion and how they are grateful she didn’t. Questions and stories like these sometimes persuade, but they shouldn’t. Consider some other questions:

- (1) *How would you like it if your mother had been a nun, or celibate, all her life?*
- (2) *How would you like it if your mother had moved away from the city where she met your father, and they never met?*
- (3) *How would you like it if your father had decided early in life to have a vasectomy?*

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All sorts of actions would have prevented each of our existences – if your parents had acted differently in many ways, *you* wouldn't be here to entertain the question: at best, *someone else* would be⁵ – but these actions aren't wrong.

Some might reply that if you had been murdered as a baby, you wouldn't be here to discuss it. True, but that baby was conscious, had feelings, and had a perspective on the world that ended in being murdered: an early fetus is not like that. We can empathetically imagine what it might have been like for that murdered child; we can't do that with a never-been-conscious fetus, since there's no perspective to imagine.

In sum, these are some common arguments given against abortion. They aren't good. Everyone can do better.

4.2.2 Common Arguments “For” Abortion

Many common arguments “for” abortion are also weak. This is often because they simply don't engage the concerns of people who oppose abortion. Consider these often-heard claims:

4.2.2.1 “Women have a right to do whatever they want with their bodies . . .”

Autonomy, your ability to make decisions about matters that profoundly affect your own life, is very important: it's a core concern in medical ethics. But autonomy has limits: your autonomy doesn't, say, justify *murdering an innocent person*, which is what some *claim* abortion is. The slogan that “women can do what they want . . .” does not engage that claim or any arguments given in its favor, so it's inadequate.

4.2.2.2 “People who oppose abortion are just trying to control women.”

They *might* be trying to do this. But they *might* be trying to ban abortion because they believe that *abortion is wrong and should be illegal*. Speculations about motives don't engage or critique any arguments they might give to think that. (If you doubt that thinking critically about arguments and evidence here would do any good, do they have any *better ideas* that might do *more* good?).

4.2.2.3 “Men shouldn't make decisions about matters affecting women.”

Insofar as women profoundly disagree on these issues, some women *must* be making bad decisions about matters affecting women: all women can't be correct on the issues. And *some* men can understand that some arguments (endorsed sometimes by both women and men) are bad arguments and give good arguments on the issues. Someone's sex or gender has little to no bearing on whether they can make good arguments about matters that affect them or anyone else. Furthermore, the existence of transgender men who have given birth further undermines the thought that one sex or gender is apt to have more correct views here.

⁵ For discussion of this question of what could have been different about the past such that you never existed, see Chad Vance's “Origin Essentialism: What Could Have Been Different about You?” at *1000-Word Philosophy: An Introductory Anthology* at <https://1000wordphilosophy.com/2014/04/28/origin-essentialism/>

4.2.2.4 “Women and girls will die if abortion isn’t allowed.”

This is true. However, this fact is apt to not be persuasive to some people who think that abortion is wrong: they will respond, “If someone dies *because they are doing something wrong like having an abortion*, that’s ‘on them,’ *not* those who are trying to prevent that wrong.” Observing that women will die if abortions are outlawed doesn’t engage any arguments that abortion is wrong or give much a reason to think that abortion is *not* wrong. Again, this type of engagement is necessary for progress on these issues.

In sum, while we agree that people who think that abortion is generally not morally wrong and should be legal are *correct*, they sometimes don’t offer very good reasons to think this, just like the opponents of abortion. An analysis of the more nuanced reasons in favor of abortion provided by philosophers will yield proper support for this viewpoint.

For Review and Discussion:

1. Do the reasons that people get abortions matter for its moral permissibility? Why or why not?
2. Describe the common arguments *against* abortion and assess them. Are they good or bad arguments? Do they make assumptions or claims that are problematic? Do the reasons provided actually provide evidence and reasons to oppose abortion?
3. Describe the common arguments *for* abortion and assess them. Are they good or bad arguments? Do they make assumptions or claims that are problematic? Do the reasons provided actually give evidence and reasons to support abortion?

12 Better (Philosophical) Arguments about Abortion

Nathan Nobis and Kristina Grob¹

1 Introduction

We argue that abortion should not be illegal because *most* abortions are not morally wrong (and so they are not *seriously* or *extremely* wrong). So, states are making bad moral and legal moves, to say the least, in trying to criminalize abortions, at least when they are done early in pregnancy, as they usually are.

2 Arguments Against Abortion

We will begin with arguments for the conclusion that *abortion is generally wrong*, perhaps *nearly always wrong*. These can be seen as reasons to believe fetuses have the “right to life” or are otherwise seriously wrong to kill.

2.1 Fetuses are human

First, there is the claim that fetuses are “human” and so abortion is wrong. People sometimes debate whether fetuses are *human*, but fetuses found in (human) women clearly are *biologically human*: they aren’t cats or dogs! And so we have this argument, with a clearly true first premise:

- (1) Fetuses are biologically human.
- (2) *All things that are biologically human are wrong to kill.*
- (3) Therefore, fetuses are wrong to kill.

The second premise, however, is false, as easy *counterexamples* show. Consider a blob of random living *biologically human* cells or tissues in a petri dish. It wouldn’t be wrong at all to wash those cells or tissues down the drain, killing them; scratching yourself or shaving might kill some biologically human skin cells, but that’s not wrong; a tumor might be biologically human, but not wrong to kill. So *just because* something is biologically human, that doesn’t at all mean it’s wrong to kill that thing.

A different meaning of “human” will be discussed below: people who insist that (biologically human) fetuses aren’t “human” might mean “person” or *human person*.

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2.2 Fetuses are “human beings”

Some respond to this argument by observing that fetuses aren’t just random biologically human cells, but are organized in ways that makes them *beings* or *organisms*. (A kidney is *part* of a “being,” but the “being” is the whole organism). That suggests this argument:

- (1) Fetuses are *human beings or organisms*.
- (2) *All* human beings or organisms are wrong to kill.
- (3) Therefore, fetuses are wrong to kill, so abortion is wrong.

The first premise is true. About the second premise, clearly *many* human beings or organisms are wrong to kill. Why is this though? What *makes* us wrong to kill?

It is generally argued that this is *because* we, these human beings, are conscious and feeling: we are aware of the world, have feelings and our perspectives can go better or worse *for us* – we can be *harmed* – and that’s what makes killing us wrong. (It may also be *not wrong* to let us die, and perhaps even kill, if we come to be completely and permanently lacking any consciousness, however, say from major brain damage or a coma, since we can’t be harmed by death anymore.²) So, on this explanation, human beings are wrong to kill, *when* they are wrong to kill, not *because they are human beings* (a circular explanation), but *because* we have these psychological or mental (or emotional) characteristics: this explains why we have rights in a simple, common-sense way.

The challenge then is explaining why fetuses *that have never been conscious or had any feeling or awareness* would be wrong to kill. How can the second premise above, general to *all* human organisms, be supported, especially when applied to early fetuses?

One attempt is argue that early fetuses are wrong to kill because there is continuous development from fetuses to us, and since *we* are wrong to kill *now*, fetuses are also wrong to kill, since we’ve been the “same being” all along. But this can’t be good reasoning, since we have many physical, cognitive, emotional and moral characteristics now that we lacked as fetuses (and as children). So even if we are the “same being” over time, even if we were once early fetuses, that doesn’t show that fetuses have the moral rights that babies, children and adults have: we, our bodies and our rights sometimes change.

A second attempt proposes that rights are *essential* to human organisms: they have them whenever they exist. This perspective sees having rights, or the characteristic(s) that *makes* someone have rights, as *essential* to human bodies: “having rights” is an *essential property* of human beings or organisms: so whenever there’s a living human organism, there’s someone with rights, even if that organism totally lacks consciousness, like an early fetus. (In contrast, our proposal about what *makes* us have rights understands rights as “accidental” to our bodies, since our bodies haven’t always “contained” a conscious being.) Such a view supports the premise above; maybe it just *is* that premise above.

But why believe it? Why believe that rights are *essential* to human organisms? Some argue this because

² See the essay “Euthanasia, or Mercy Killing” by Nathan Nobis (Chapter 9) in this volume. For a shorter version of that essay, see [Euthanasia, or Mercy Killing](#) by Nathan Nobis at *1000-Word Philosophy: An Introductory Anthology*.

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of what “kind” of beings we are, which is often presumed to be “rational beings.” The reasoning is, first, that rights come from being a rational being. And, second, that all human organisms, including fetuses, are the “kind” of being that is a “rational being,” so every being of the “kind” *rational being* has rights.

This explanation is, at least, abstract. It might seem to involve thinking that rights somehow “trickle down” from later rationality to our embryonic origins, and so what we have *later* we also have *earlier*, because we are the *same being* or same “kind” of being. But this idea is, in general, doubtful: we are now *responsible* beings, in part because we are rational beings, but fetuses aren’t responsible for anything: we are now able to engage in moral reasoning since we are rational beings, but fetuses don’t have the “rights” that uniquely depend on moral reasoning abilities. Even if fetuses and us are the same “kind” of beings, that often doesn’t tell us much about what rights fetuses would have, if any. And we might even reasonably think that, despite our being the *same* kind of beings as fetuses, we are also importantly *different kinds* of beings.

In sum, the abstract view that all human organisms have rights *essentially* needs to be plausibly explained and defended. We need to understand how it really works. We need to be shown why it’s a better explanation, all things considered, than a consciousness and feelings-based theory of rights that explains why we, and babies, have rights, why racism, sexism and other forms of wrongful discrimination are wrong, *and*, importantly, how we might *lose* rights in irreversible coma cases (if people always retained the right to life in these circumstances, presumably it would be wrong to let anyone die), and more.

2.3 Fetuses are persons

Finally, we get to what some see as the core issue here, namely whether fetuses are *persons*, and an argument like this:

- (1) Fetuses are persons, perhaps from conception.
- (2) Persons have the right to life and are wrong to kill.
- (3) Therefore, abortion is wrong, as it involves killing persons.

The second premise *seems* very plausible, but there are some important complications about it that will be discussed later. So let’s focus on the idea of personhood and whether fetuses are persons. What is it to be a *person*? One answer that everyone can agree on is that *persons are beings with rights and value*. That’s a fine answer, but it takes us back to the initial question: OK, who or what has the rights and value of persons? What *makes* someone or something a person?

Answers here are often merely asserted, but these answers need to be tested: definitions can be judged in terms of whether they fit how a word is used. We might begin by thinking about what *makes* us persons. Consider this:

We are persons now. Either we will always be persons or we will cease being persons. If we will *cease* to be persons, what can end our personhood? If we will *always* be persons, how could that be?

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Both options yield insight into personhood. Many people think that their personhood ends at death or if they were to go into a permanent coma: their body is (biologically) alive but the *person* is gone: that is why other people are sad (we hope!). And if we continue to exist after the death of our bodies, as some religions maintain, what continues to exist? The *person*, perhaps even without a body! Both responses suggest that personhood is defined by a rough and vague set of psychological or mental, rational and emotional characteristics: consciousness, knowledge, memories, and ways of communicating, all psychologically unified by a unique personality.

A second activity supports this understanding:

Make a list of things that are definitely *not persons*. Make a list of individuals who definitely *are persons*. Make a list of imaginary or fictional *personified* beings which, if existed, would be persons: these beings that fit or display the concept of person, even if they don't exist. What explains the patterns of the lists?

Rocks, carrots, cups and dead gnats are clearly not persons. *We* are persons. Science fiction gives us ideas of *personified* beings: to give something the traits of a person is to indicate what the traits of persons are. Even though the non-human characters from Star Wars don't exist, they fit the concept of person: we can befriend them, work with them, and so on, and we could only do that with persons. A common idea of God is that of an immaterial *person* who has exceptional power, knowledge, and goodness: you couldn't pray to a rock and hope that rock would respond: you could only pray to a person. Are conscious and feeling animals, like chimpanzees, dolphins, cats, dogs, chickens, pigs, and cows more relevantly like us, as persons, or are they more like rocks and cabbages, non-persons? Conscious and feeling animals seem to be closer to persons than not. So, this classificatory activity further supports a psychological understanding of personhood: persons are, at root, conscious, aware and feeling beings.

Concerning abortion, early fetuses would *not* be persons on this account: they are not yet conscious or aware since their brains and nervous systems are either non-existent or insufficiently developed. Consciousness emerges in fetuses much later in pregnancy, likely after the first trimester. This is after when most abortions occur. Most abortions, then, do not involve killing a *person*, since the fetus has not developed the characteristics for personhood. We will briefly discuss later abortions, that potentially affect fetuses who are persons, below.

It is perhaps worthwhile to notice though that *if* someone believed that fetuses are persons and thought this makes abortion wrong, it's unclear why a pregnancy resulting from rape or incest would be a morally justified abortion. Some people who oppose abortion argue that, since you are a person, it would be wrong to kill you now *even if* you were conceived because of a rape, and so it's wrong to kill any fetus who is a person, even if they exist because of a rape: whether someone is a person or not doesn't depend on their origins: it would make no sense to think that, for two otherwise identical fetuses, one is a person but the other isn't, because that one was conceived by rape. Therefore, those who accept a "personhood argument" against abortion, yet think that abortions in cases of rape are acceptable, seem to have an inconsistent view.

2.4 Fetuses are potential persons

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If fetuses aren't persons, they are at least potential persons, meaning they could and would become persons. This is true. This, however, doesn't mean that they currently have the rights of persons because, in general, *potential things of a kind don't have the rights of actual things of that kind*: potential doctors, lawyers, judges, presidents, voters, veterans, adults, parents, spouses, graduates, moral reasoners and more don't have the rights of actual individuals of those kinds.

Some respond to that that potential gives the right to at least *try* to become something. But that trying sometimes involves the cooperation of others: if your friend is a potential medical student, but only if you tutor her for many hours a day, are you obligated to tutor her? If my child is a potential NASCAR champion, am I am obligated to buy her a racecar to practice? 'No' to both and so it is unclear that a pregnant woman would be obligated to provide what's necessary to bring about a fetus's potential.

2.5 Abortion prevents fetuses from experiencing their valuable futures

The argument against abortion that is likely most-discussed *by philosophers* comes from Don Marquis.³ He argues that it is wrong to kill "normal" adults and children because it deprives us from experiencing their (expected to be) valuable futures. He argues that since fetuses also have valuable futures also ("futures like ours" he calls them), they are also wrong to kill. His argument has much to recommend it, but there are reasons to doubt it as well.

First, fetuses don't seem to have futures *like our futures*, since – as they are pre-conscious - they are entirely psychologically disconnected from any future experiences: there is no (even broken) chain of experiences from the fetus to that future person's experiences. Babies are, at least, aware of the current moment, which leads to the next moment; children and adults think about and plan for their futures, but fetuses cannot do these things, being completely mindless and unconscious. This fact might even mean that the early fetus doesn't *literally* have a future: if *your* future couldn't include *you* being a merely physical, non-conscious object (e.g., you couldn't be a corpse: if there's a corpse, *you* are gone), then perhaps non-conscious physical objects, like a fetus, couldn't *be* a future person.⁴ If this is correct, early fetuses don't even have futures, much less futures like ours.

A third objection is more abstract. It begins with the observation that *there are single objects with parts with space between them*. Indeed almost *everything* is like that, if you could look close enough, not just *single* dinette sets: there is some space between the parts of normal physical objects. From this, it follows that there seem to be single objects such as *an-egg-and-the-sperm-that-would-fertilize-it*. And these would also seem to have a future of value, given how Marquis describes this concept. (It should be made clear that sperm and eggs *alone* do not have futures of value: this is not the objection). But contraception, even by *abstinence*, prevents that thing's future of value from materializing, and so seems to be wrong on Marquis's argument. Since contraception isn't wrong, it seems that preventing something from experiencing its valuable future isn't always wrong and so Marquis's argument appears to be unsound.

³ Marquis, Don. "Why abortion is immoral." *The Journal of Philosophy* 86.4 (1989): 183-202.

⁴ For discussion of this question of what you *could* and *could not* become, see Chad Vance's "Origin Essentialism: What Could Have Been Different about You?" at *1000-Word Philosophy: An Introductory Anthology* at <https://1000wordphilosophy.com/2014/04/28/origin-essentialism/>

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In sum, these are some of the most influential arguments against abortion. Our discussion was brief, but these arguments do not appear to be successful: they do not show that abortion is wrong, much less make it *clear and obvious* that abortion is wrong.

3 Arguments that abortion is often not wrong

Finally, we turn to arguments that abortion is generally not wrong.

3.1 No good arguments that it is wrong

A first argument depends on the discussion so far. If you are familiar with the most important arguments given to believe that abortion is wrong, and believe *with good reason* that they are unsound, then that gives a reason to think that abortion is not wrong. In general, *a good reason to think that an action is permissible is that there is no good reason to think it's wrong*. How this general strategy is applied to this issue depends on your evaluation of the arguments discussed above, and any other arguments against abortion that you think are worth critically evaluating.

3.2 Early fetuses aren't conscious & feeling: personhood and harm

The next positive argument in defense of abortion depends on the scientific facts about *early* fetuses that we have emphasized over and over: they are not conscious, are not aware of anything, cannot feel anything, and so on: they are and *have been* entirely mindless so far. The proposal is that beings like this are very different from beings like us and babies and children, who are conscious: despite being the same *kind* of beings, we are also different *kinds* of beings.

These observations motivate these principles:

If a being *is and has always been completely unconscious*, it's definitely not a *person*. And if something is definitely not a person, then it's not wrong to kill it.

This proposal is supported by, among other sources, the idea that if someone permanently ceases to be a person, it can be OK to bring about their death, perhaps even by killing their body, since their being alive is doing them no good. This is related to this proposal:

If a being *is and has always been completely unconscious*, it really cannot be *harmed*, which requires some "turn for the worse" *for that being*. There is no "for that being," yet, so things can't get worse for it. So killing doesn't harm it.

Given the fundamental moral significance of consciousness and all that results from that, that *early* fetuses lack it is highly relevant to how they can be treated.

3.3 The right to life & the right to someone else's body

Finally, suppose much of the above is mistaken and that fetuses indeed are persons with the right to life.

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Some think that this clearly shows that abortion is wrong. Philosopher Judith Jarvis Thomson famously argued in 1971 that this isn't the case. She observes that people often have a naive understanding of what the right to life is a right to. She makes her case with a number of clever examples. First, the violinist:

You wake up in a hospital, "plugged in" to a famous violinist, who needs to use *your* kidneys to stay alive. You were kidnapped for this purpose. If you unplug, he will die. But it's only for nine months.

Does the violinist have a *right* to your kidneys? Do you violate his *right to life* if you unplug, and he dies? Most would say 'no', which suggests that *the right to life is not a right to anyone else's body, even if that body is necessary for your life to continue*. This suggests that fetuses, even if they were persons with the right to life, would not have a right to the pregnant woman's body. So until there is a way to remove fetuses and place them in other wombs, women have a right to abortion. This even suggests another definition:

Abortion is the intentional withholding of what a fetus needs to live, to end a pregnancy.

Some respond the violinist case is somewhat like a pregnancy that results from rape, since there's no consent involved, but that pregnancies that don't result from rape *do* give fetuses the right to the woman's body because, they argue, the woman has done something that she knows might result in someone existing who is dependent on her.

While Thompson had cases to address this type of concern – if someone falls in your house *because* you opened a window, they don't have the right to be there, even though you *did something* that contributed to their being there – we should notice that the response appears to be question-begging. Compare doing something that results in the existence of a new plant that is *dependent* on you: you wouldn't be obligated to provide for that plant. To assume that things are different with fetuses is, well, to assume what can't be merely assumed, especially if we don't already believe that early fetuses are persons with the right to life.

It should be made clear that even if the fetus doesn't have a *right* to the pregnant woman's body, there *could* be other rights or other obligations that could make abortion wrong nevertheless: e.g., if pregnancy were just 9 hours perhaps women would be *obligated* to be Good Samaritans towards them, even if fetuses didn't have a right to the woman's resources and assistance. What's important though is the right to life and personhood are not the "slam dunk" against abortion that people often think they are.

3.4 "What ifs": Rape and later-term abortions

We are now in a good position to address some of the "what if" situations regarding abortions.

First, rape: if early abortions are generally not wrong, then abortions due to rape are *especially* not wrong. While people sometimes consider rape a special excuse that justifies abortion, if abortions generally aren't wrong, no special excuse is needed. (It is worthwhile to notice that those who think that all fetuses are persons and so argue that abortion is wrong *should* think abortion is wrong in cases of

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rape also, since a person is a person, irrespective of their origins).

Second, later-term abortions: these *might* affect conscious and feeling fetuses badly, but fortunately these abortions are rare and evidence suggest that they are done only for justifying medical reasons (Google for harrowing personal stories of women having later abortions, due to medical difficulties, including fetal abnormalities incompatible with life). But *if* any far later abortions are done for frivolous reasons, they *could* be morally wrong, since it's wrong to cause serious pain for no good reason.

Should laws be created to *ban* any potential later abortions done for trivial reasons? Again, not all wrongdoing should be illegal, but – most importantly – a ban on these *potential* abortions would surely have a negative impact on actual later abortions done for legitimate medical reasons. If the justifiability of any later abortions had to be proven in court, or people had to go through the criminal justice system to approve an emergency medical procedure, that would have very bad effects, given the speed, inefficiency and occasional incompetence of courts. Involving the police and the legal system in private medical decisions would also be very bad for all, especially vulnerable groups: people of color, immigrants, and poor people.

4 Conclusion

For important issues, we need well-developed reasons or arguments to decide what to believe and do about the issues. The purpose of this essay has been to provide some of that training so you can better develop an informed and well-reasoned moral perspective on abortion. Many people say they “feel” that abortion is wrong or they “feel” that it’s OK. But complex issues require fair and honest critical thinking, not just uniformed “feelings” or “opinions,” and we hope this paper has displayed this.

We have focused on disagreements about the issue, but we want to end on an agreement: everyone agrees there should be fewer abortions. Even people who think abortions are generally not wrong don’t think that having an abortion is just a great way to spend time and resources. So everyone *could* agree that we, as a society, should do more to reduce the “demand” for abortions. Some other countries don’t have as many abortions as the US does, and this is because of deliberate choices they have made to make their country more supportive of all of its citizens and make it easier for them to meet their economic, medical and familial needs. We too could be like Good Samaritans, which would be good not just for this issue, but many others, as well as who we are, as people, together.

For Review and Discussion:

1. Do the reasons that people get abortions matter for its moral permissibility? Why or why not?
2. Describe the arguments *against* abortion and assess them. Are they good or bad arguments? Do they make assumptions or claims that are problematic? Do the reasons provided actually provide evidence and reasons to oppose abortion?

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3. Describe the arguments *for* abortion and assess them. Are they good or bad arguments? Do they make assumptions or claims that are problematic? Do the reasons provided actually give evidence and reasons to support abortion?