

DEFENDING THE DISTINCTION BETWEEN PREGNANCY AND PARENTHOOD

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ABSTRACT

In this paper, I respond to criticisms toward my account of the difference in moral status between fetuses and newborns. I show my critics have not adequately argued for their view that pregnant women participate in a parent-child relationship. While an important counterexample is raised against my account, this counterexample had already been dealt with in my original paper. Because the criticisms against my account lack argumentative support, they do not pose a problem for my account. I conclude the raised criticisms do not amount to a strong philosophical case against my account.

INTRODUCTION

In this paper, I respond to criticisms toward my account of the difference in moral status between fetuses and newborns.[1] On my account, newborns have greater moral status than fetuses in virtue of newborns being the proper objects of parental responsibilities where parental responsibilities are the special moral responsibilities parents have toward their children. Parental responsibilities are the moral dimension of the parent-child relationship, a relationship newborns can participate in but fetuses can not. My interlocutors disagree that, between fetuses and newborns, only newborns can participate in a parent-child relationship and offer criticisms against my account. Here, I clarify some of my account's central points and explain how the criticisms raised are weak. Chiefly, the criticisms are not supported by any strong argumentation and betray a misunderstanding of the reasoning used to support my account. I address issues concerning my claims that pregnant women are not parents and fetuses are not children, and that the wrongness

of giving a fetus Fetal Alcohol Syndrome (FAS) is constituted by the harm to the future child. I also resist the claim that the maternal-child relationship begins during gestation because the case presented for it is question-begging. For these reasons, I conclude the raised criticisms do not amount to strong philosophical case against my account.

ADDRESSING CRITICISMS

My interlocutors reject my claim that a fetus is not the sort of thing that can stand in a parent-child relationship.[2] My reason is that a parent-child relationship is populated by parents and children. A pregnant woman is not a parent and a fetus is not a child. A pregnant woman does not stand in a parent-child relationship with her fetus. My reason for thinking pregnant women are not parents and fetuses are not children has to do with viewing gestation as a process. Pregnant women are on their way toward entering a parent-child relationship. But to be on the way to something means one is not yet there. So, pregnant women are not yet parents. The same is true of fetuses. Fetuses are on the way to becoming children but are not yet children. So, if pregnant women are only potential parents, and their fetuses are only potential children, then pregnant women and their fetuses only potentially participate in a parent-child relationship, and not an actual one. While my interlocutors acknowledge the distinction between a potential X and an actual X but disagree that pregnant women are only potential parents, they only assert their dissenting view rather than provide strong argument for it. As it stands, they have not provided any reasons to think pregnant women count as parents in the relevant sense, so there is no problem for my account.

My interlocutors contend the term ‘pregnant mother’ is used by scholars in medical and scientific disciplines and pregnant women often refer to themselves as mothers. They take this as evidence for the metaphysical conclusion that pregnant women count as parents. Because mothers

are parents, it is not, as I claim, inappropriate to consider pregnant women as actual parents. The objection seems to be that pregnant women are parents because they are sometimes called mothers and sometimes think of themselves as mothers. But my concern is whether pregnant women as such are parents in a metaphysical sense, not whether they are called parents or whether they consider themselves parents. A person is not a parent in a metaphysical sense simply because they think of themselves as one or are called one. That pregnant women are referred to as mothers and sometimes think of themselves as such is irrelevant. Why should we think a person who does not yet have children counts as a parent anymore than someone who has not purchased a home counts as a homeowner? Simply, we should not. My interlocutors have not provided any reasons to think otherwise.

If we understand gestation as a process, then it is not the case that pregnant women are mothers. My argument for why we should not consider pregnant women as actual parents is interwoven with my reasons for thinking a fetus is not a child. I use an analogy with seeds and sprouts. Just as a seed is not a sprout, a fetus is not a child. My interlocutors find this analogy “dubious”.^[2] They, however, do not provide any arguments or reasons for why my analogy is mistaken. What they do state is “A seed, however, is not and is never referred to as a sprout”.^[2] And this is exactly right. A seed must progress through a germination process to become a sprout. Similarly, fetuses go through the process of gestation, a process in which they are developing and becoming something. That something is a child. It is this development process that distinguishes fetuses from children and indicates a fetus is only potentially a child and not actually one. And when this process is cut short, such as in cases of miscarriage, the woman never gets to the point of being a parent, and so no parent-child relationship ever arises. So, my interlocutors have failed to grasp my seed/sprout analogy and provide no argument or reasons for why it is mistaken besides

labelling it dubious. If they disagree with my analogy, they must provide some argument for why a fetal gestation is not analogous to seed germination. If we do not think seeds are sprouts, why think fetuses are children?

My interlocutors refer to the work of Joseph Millum and Rivka Wienberg to argue biological relationships may be sufficient for parental responsibilities.[3][4] But the moral significance of parental relationships is not dependent on biological connections. It is not clear how a mere biological connection qua biological connection creates moral obligations or contributes to moral status, especially when such obligations and statuses exist without any biological connections, such as in the case of adoptive parents. Some explanation must be given about how these new normative features arise. So, in cases where there is both biological connection and moral obligations, the latter is not dependent on the former. In other words, a mere biological connection is not what creates moral obligations or contributes to moral status in cases where there is both biological connection and parental responsibilities. To think otherwise is to fail to distinguish between the biological and the normative. So, if we think some biological connections are sufficient for parental responsibilities, explanation about how these special moral responsibilities are created. What I think will be found is that these responsibilities arise from normative features rather than biological ones.

Furthermore, my interlocutors take issue with my claim the wrong of FAS is constituted entirely by the harms it does to the future child rather than the ways in which it impairs the fetus. I argue if there were no harm done to the future child, impairment to the fetus via FAS would not be wrong for there would not be anything to constitute its wrongness. They state infliction of FAS seems wrong at the time of alcohol consumption, not in the future. They do not provide an argument for this claim, only assert what seems to them to be the case. This, however, is not in

serious tension with the claim that the wrongness of giving a fetus FAS is wrong due centrally to harms to the future child. This is because when a pregnant woman consumes alcohol, there is a reasonable expectation her behaviour will lead to a future child being harmed by the effects of FAS. So, we can say a pregnant woman who consumes alcohol during pregnancy is acting negligently. However, if there is no expectation of future harm, such as in the case where the pregnant woman gets an abortion, then there is an absence of any wrong-making feature.

But if we do think there is something wrong with impairing a fetus independently of any harms to future children, then it would appear fetuses are proper objects of the responsibilities of pregnancy. But the responsibilities of pregnancy are not the responsibilities of parenthood. Pregnancy is a status distinct from parenthood. My claim is fetuses are not the proper objects of parental responsibility. To object to this claim by pointing out fetuses may be the proper objects of the responsibilities of pregnancy is irrelevant. It does not follow from fetuses being proper objects of the responsibilities of pregnancy that they are objects of parental responsibility or that they participate in parent-child relationships. This is due to the distinction between pregnancy and parenthood, a distinction I have already defended.

My interlocutors take this distinction to be an artificial one but fail to explain why. They prefer the parent-child relationship to be understood as the continuation of an already existing relationship that began at gestation. The upshot of this is pregnant women would count as parents, fetuses would count as a child, and they would participate together in a parent-child relationship. The only reason they offer in support of this is the psychological phenomena of maternal-fetal attachment, which they take as evidence for the maternal-child relationship beginning during the process of gestation.[5][6] But the psychological evidence is irrelevant to the metaphysical question. That pregnant women begin getting attached to their fetuses early on is irrelevant to the

question of whether they are parents to them in the relevant metaphysical sense. Additionally, whether what is called the maternal-child relationship really is a parent-child relationship is precisely what is in dispute. To say that pregnant women are parents because they begin the maternal-child relationship during gestation presupposes pregnant women participate in a parent-child relationship with their carried fetus, and so is question-begging.

The criticisms my account faces are mostly ones that reject a distinction between pregnancy and parenthood without strong argument. However, my interlocutors do raise the powerful counterexample of orphans for my account. Orphans do not have parents and thus do not stand in a parent-child relationship. As a result, they are not proper objects of parental responsibilities. It seems on my account it would be morally permissible to kill orphans. This is the only serious problem for my account. But I had already responded to this criticism in my original paper. As a reminder, I pointed out that this is only a problem if we accept being the proper object of parental responsibilities is the only relational morally relevant feature a newborn can have. I do not mean to claim this. My account leaves open other relational morally relevant features that belong to orphaned newborns that explain why killing them is wrong. Perhaps I should make a minor adjustment and say mine is not an account of *the* difference in moral status between fetuses and newborns, but rather an account of *a* difference in moral status between fetuses and newborns. I am thus entitled to conclude my account successfully explains a moral difference between fetuses and newborns such that abortion is morally permissible while at least some instances of infanticide are impermissible. This is sufficient to break down analogies between abortion and infanticide. Thus, my account is successful in showing what it aimed to show. While my account as presented is limited to the particular morally relevant feature bestowed by the parent-child relationship, it could be extended to include other morally loaded relationships and the morally relevant features

those relationships bestow to explain the wrongness of instances of infanticide where there is not a parent-child relationship, such as the killing of orphans. While my focus was on one relational morally relevant feature bestowed by one morally loaded relationship, my account is not to be taken as ruling out the possibility of other such features bestowed by other morally loaded relationships. But exploring those further options is not something I have space for here.

CONCLUSION

My interlocutors have not shown my account to lack support. They disagree that pregnant women do not participate in a parent-child relationship with their fetuses, but do not provide strong arguments against my account. I have explained how their criticisms do not work. That pregnant women are sometimes referred to as and think of themselves as mothers is irrelevant to whether they are parents in metaphysical sense. They claim my seed/sprout analogy is dubious but do not offer strong reasons why. I have explained why parental responsibilities do not arise from mere biological connections, even if some biological relationships seem sufficient for them. I have clarified that giving a fetus FAS is wrong due to the harm to the future child in response to the assertion giving a fetus FAS seems wrong at the time of consuming alcohol. I showed the appeal to the phenomena of MFA for why pregnant women participate in a parent-child relationship to be question-begging. Finally, the counterexample of orphans had already been addressed and I clarified my response to it here. Given all this, I conclude the raised criticisms do not amount to a strong philosophical case against my account.

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